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DORRIS GENERAL PLAN
AND
ZONING ORDINANCE

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DORRIS LAND USE ELEMENT

Introduction

The general land use plan represents a future projection of development trends for the City of Dorris. Land use designations are not necessarily reflections of present land use patterns or physical reality.

The zoning designation to be adopted and future changes in the zoning designations should be directed by and be in conformance with the general land use plan. The adoption of a general land use plan does not automatically rezone or change land use designation within the City.

The general land use plan, as adopted, is an expression of future land use areas for the city. Compared to this future projection, some existing land areas are in conflict with the land use plan.

It is the intent of this plan that no zone changes will be made in areas where the existing land use is different from the general land use plan designations, which would cause these uses to become non-conforming. The phasing out of non-conforming existing uses shall be at the request of and with the cooperation of the property owner.

The general land use plan provides a general distribution and identification of various land uses to meet future growth needs. The appropriate zoning designations applied to the land through the zoning ordinance and zoning map will provide the site specific definitions of land use which will be permitted in each

zoning district.

Land Use Element Goals

Many of the goals which will be used in the Land Use Element will have been previously addressed in other specific planning elements, such as the Open Space and Recreation Element. These goals will be applied to the general designations of land use as defined by the land use element. The following goals are suggested for the Land Use Element for the City of Dorris.

Goal #1

Dorris shall provide adequate land through its comprehensive plan for urban uses and provide urban services for all expected population growth.

This policy means that:

A. The City of Dorris will provide all types of land use which are necessary to meet the needs of a rural/agriculturally oriented community.

B. The City will assume the responsibility of adequately planning for the changing needs of the community in regard to future land use needs and population growth.

Goal #2

To continue to foster a sense of the distinct rural nature of a small city environment.

To achieve this goal, careful attention should be given to preserving those aspects of the City of Dorris which add to its rural qualities as opposed to those characteristics of more concentrated urban population centers. Some parts of this policy will have to do with dispersing future multi-family development

throughout the town to preserve the feeling of one community rather than creating specific separate districts. Another way of achieving this policy will be to designate larger rather than smaller single family lots and reduce the use of land use devices that create a feeling of closed-in or concentrated neighborhoods (i.e., high fences, zero lot lines, etc.).

Goal #3

To promote infill and reduce costly extension of services.

This goal speaks to the need to promote through land planning ordinances the desirability to use vacant land within the City and its existing service matrix in order to reduce the need to continually expand services.

Goal #4

City services such as water, sewer, streets shall be planned to further the objectives of the comprehensive plan. City services shall not be extended beyond the city limits without an agreement to annex.

The intent of this goal is two-sided. One is to state that city services should be developed in accordance with the general plan herein described, and not in ways that would be at cross purposes or in opposition to the general plan. And second, to state that extensions of city services beyond the city boundaries shall not occur unless there is a contract to annex.

Goal #5

To preserve and set aside open space corridors, street rights-of-way, or other public areas during the development of land.

The most economical method to preserve needed public

areas is to require their dedication at the time the property is developed. This process sets aside areas which have been designated for parks, open space, utility easements and streets. This prevents the City from having to acquire these areas after development has taken place. A rule of reasonableness should be applied to all requirements on developers for public dedications.

Goal #6

To provide adequate land for future commercial and industrial development.

It is important to provide adequate well-located land for commercial and industrial development in every community. It is also necessary to coordinate this activity with the need and goals of a sound economic development program.

Land Use Designations

The City of Dorris, which is in reality a small agricultural community, has no need of a complex number of land use classifications, or a complex number and type of zones. In keeping with this understanding, both the land use classifications and the zoning categories that can be found within them will be kept as simple as possible.

The land use classifications consist of four categories: commercial, residential, industrial, and public. Each category will be described below as to the qualities that it should include that will justify the spatial alignment which will be graphically presented on the map. Along with the above description, a series of policies will be listed further defining the particular category and how its use fits into the logic of the general plan as a whole.

A. Commercial

Commercial activities are usually confined to specific areas which provide a variety of shopping, offer the opportunity for residents to compare prices, providing for selection and competition, and are integrated into the major corridors of transportation allowing for easy access and limiting the length and duration of resident travel for shopping purposes. Also, thought should be given to selecting areas for commercial development which will be attractive to the shopper and be an added inducement for shopping locally.

The following requirements are designed to provide adequate support for commercial activities in a community:

- (1) Adjoining heavy traffic flows central to the tributary area.
- (2) Central business districts. Location close to peak flow of traffic and pedestrians, where retail, financial, professional, and related services can be conveniently accommodated.

- (3) Highway service centers. Locations on outlying areas on major highway approaches to the urban area. Where sites are adequate for integrated design of drive-in services, motel accommodations, and proper consideration given to highway safety.

B. Commercial Policies

- (1) To strive to improve and diversify the local economy so that all residents have an opportunity to share in the economic well-being of a healthy, stable community.

- (2) To plan for commercial growth in a manner that

preserves and enhances the aesthetic livability of Dorris.

(3) Commercial growth should radiate along the Highway 97 corridor with a central business district making up the center of that corridor.

(4) Allow small convenient, neighborhood commercial uses to locate in expanding residential areas as designated in the Land Use Element.

The areas along Highway 97, Third Street, and Fourth Street will be adequate for commercial development in Dorris for the foreseeable future. The City's major problem in regard to commercial space is one of underutilization, poor markets, and commercial migration and disuse. A major challenge for the future of this community is whether new commercial activity can be induced into the City.

Zoning categories under this Designation:

- (1) Commercial (CBD)
- (2) Commercial Highway
- (3) Commercial-Residential
- (4) PUD.

C. Residential

Residential classifications are given the most consideration by most planning commissions, and the preservation of the integrity of residential neighborhoods is a high priority with most communities. The land use requirements for residential living can vary, and are the least demanding of all land use classifications. Terrain and locations which are unusable or undesirable for commercial and industrial purposes can adequately

serve and meet the needs of residential units. The following is an outline of the requirements for residential purposes:

- (1) Terrain with a variety, offering fairly level, rolling, hillside sites, depending on the topography of the area.
- (2) Land having an adequate transportation system.
- (3) Supported by public land, such as schools, churches, recreation facilities in close proximity and with easy access from the residential neighborhood.
- (4) A range of choices in residential densities. Residential density raises the issue of subcategories of residential living, ranging from the single family dwelling on one lot, to multi-family dwelling units which can have numerous units per lot. There is a need to establish a full range of residential densities and modes of residential living.

D. Residential Goals and Policies

The City of Dorris occupies a small corner in the northern part of the Butte Valley. Other than at the extreme northeastern edge of the community where the existing development begins to touch the _____ foothills, there are no real physical constraints on development of residential land in any direction. There are social and financial constraints, however. Developing residential neighborhoods beyond the existing city boundaries will require extensions of water, sewer, and transportation systems. Such development may begin to encroach onto prime agricultural land.

- (1) The City of Dorris should attempt to restrict further residential development to the open areas within the City

boundaries, causing these areas to be infilled with residential development. This would suggest that most new residential development happen in the northeast and southeast corners of the City.

(2) The City of Dorris should allow for development of multi-family units of varying density in all sectors of the residential areas of the city where such development is still physically possible. Varying degrees of multi-family density will allow for diversity of population and will encourage economic development. It will also allow for a larger range in residential living costs.

(3) The City of Dorris shall whenever possible attempt to negotiate from private residential developers dedications of land for neighborhood playgrounds, bike paths, open space or other necessary public uses.

E. Residential Zoning Categories

R-1

R-A

R-M-2

R-M-3

R-M-A

PUC

F. Industrial

The need to provide adequate land for industrial use is often little understood by communities. Often the least desirable land, both from the industrialist viewpoint and from the effects of such development on the community, is chosen. As a wealth generator, it is important for a community to have some industrial

development, which can take many forms (i.e., agricultural production and processing, light manufacturing, heavy manufacturing, and technological services). Requirements for industrial land are fairly rigid and should be understood when this designation is provided for.

G. Land Requirements for Industrial Uses

(1) Reasonably level land, preferably with not more than five percent (5%) slope.

(2) A range of choices from large open sites to smaller closed-in sites.

(3) Direct access to commercial transportation facilities such as highways, railroads, and air cargo facilities.

(4) Availability of the utilities to support the industry.

(5) Compatibility with surrounding uses with sufficient protection by land use regulations to allow unimpeded operations of the industrial plant.

H. Industrial Subclassifications

(1) Light Industrial.

The most likely industrial uses for Dorris are in the light industrial category. The definition of light industrial for the purpose of this plan is industries that do not produce significant point source pollution (i.e., water, noise, or air), which create less than an average of ten commercial trucks per hour traffic volume, and which employ less than 100 persons full time. The City of Dorris should target this type of development to its industrial areas and allow these manufacturers or service

industries to site without a use permit. All industrial zones in the City will be primarily for light industrial use.

(2) Heavy Industry

Heavy industry, as characterized by smokestack plants, traditionally can be defined as those industries that produce significant point source pollution (i.e., water, air, noise) and require a traffic volume of more than ten commercial trucks per hour. These types of industry pose significant threat to the predominantly agricultural environment of the valley and the Dorris community, and should be carefully reviewed before they are allowed to operate within the City of Dorris. Heavy industrial uses should be required to obtain a use permit before siting in any of the industrially zoned areas of the City. The use permit should clearly show how any potential adverse environmental effects would be mitigated and controlled.

I. Industrial Land Use Goals and Policies

(1) Encourage economic diversification by making ample, good quality industrial land available to attract clean industries.

(2) The location of light industrial uses in a park or in campus-like environments within residential areas may be permitted if the opportunity presents itself.

(3) Use permit shall be required for heavy industrial uses.

J. Industrial Zoning Categories

M-1

PUC

K. Public Land Use Classification

Public land use consists of schools, libraries, parks, playgrounds, municipal, state and federal buildings, etc. Since development of these types of uses is public rather than private, a slightly different approach to their future planning is required.

Due to the fiscal problems confronting small communities, little future development of new public facilities is anticipated. When it does happen, it will most likely be within the area of private development, and be the result of private dedication of public uses. For this reason, only existing public uses will be so classified.

L. Public Land Use Goals and Policies

It shall be the goal of the City of Dorris to negotiate public land use dedication whenever the opportunity presents itself and when it is reasonable and logical for private development to make such dedication and when the public agency can reasonably operate and maintain the public use so dedicated.

DORRIS CIRCULATION ELEMENT

The circulation element consists of gathering data, analysis and recommendations for improvements for streets, transportation and utilities systems. Planning Goals for each system will be stated and discussed in turn as each system is considered, beginning with streets.

Goal #1

To establish a comprehensive, coordinated system of circulation for the efficient safe movement of people and goods within the City.

Streets

The street system in Dorris appears to be adequate to carry current traffic volumes. Little future expansion of the system will be necessary. However, it will be preferable for numerous unpaved right-of-ways to be paved.

Definitions:

Major Arterial Streets: Major arterials are intended to move large volumes of intercity traffic and to collect and distribute traffic from traffic generation centers. The major arterial is designed to accommodate four moving lanes of traffic, and provide two additional parking lanes. Major intersections may be controlled by automatic traffic signals.

Standards:

Right-of-way	80'
Moving lanes	2-4
Parking lanes	2

Pavement width 60'

Daily traffic volume 10,000 to 20,000

Minor Arterial Streets: Minor arterial streets

function to move local traffic from freeways and major arterial highways to lower capacity streets.

Standards:

Right-of-way 60'

Moving lanes 2

Parking lanes 0-2

Pavement width 40'

Daily traffic volume 1,000 to 5,000

Local Residential Streets: Local residential streets

provide access to collector and higher capacity arterials from abutting residential development. They are designed to carry residential traffic only, and should not, through alignment or connection with other streets, encourage the movement of through traffic. Cul-de-sac streets should not exceed 300' in length.

Standards:

	Through Streets	Cul- de-sac
Right-of-Way	60'	50'
Moving lanes	2	2
Parking lanes	--	--
Pavement width	30'	28'
Daily traffic volume	to 500	--

Summary:

Dorris' street circulation pattern is dominated by the fact that State Highway 97 weaves through the center of town,

creating a primary arterial route and Dorris' main street. Since Highway 97 is a state highway, the City has only a secondary responsibility for it, but must cope with both the problem and the opportunity of the intercity traffic that the highway conveys.

Highway 97 creates a major corridor of commerce for the City, and it includes both the CBD and any potential for highway commercial development along its trans-city route.

Minor arterial streets (as shown in red on the general plan map) are: First and Second Streets from Triangle to their intersection with Highway 97; Main and Juniper from North Street to their intersection with Highway 97; Fourth Street between Highway 97 and Center; and the entire proposed Alamo Street right-of-way.

Policy:

The City of Dorris should give first priority to repair, re-paving, paving and widening of streets designated minor arterials.

All things considered, there are no major problems for Dorris' street system other than a lack of funds for street paving and repair. Funds for these projects will only be available as employment growth and business development increase city revenues and create need for circulation improvements.

Transportation

Transportation systems are an important part of every community, both in terms of local residential travel and for the conveyance of goods and services supporting the economic health of the city.

1. Air

The City is served by the Butte Valley Airport which is a few miles out of town and managed by Siskiyou County. This airport is suitable for small aircraft only, and does not have any commercial connections. The closest airport with commercial connections is in Klamath Falls, about a half hour's drive from Dorris.

2. Bus

The City does not have any intracity bus service, nor could the City support such a service. The City is served by Greyhound's intercity service; however, that carrier makes stops in Dorris only on request.

3. Rail

The City is served by Southern Pacific Railroad, which has approximately five freight runs and two Amtrak runs through Dorris daily.

4. Taxi

Dorris has no taxi service.

5. Truck

There are no regular truck lines originating in Dorris.

6. Bicycles and Pedestrian

The City should consider creating bicycle paths for school trips and shopping trips to the CBD. Paths could be created on Main, First Street, and Fourth Street.

Recommendation: That a master plan be developed for bicycle trails in Dorris.

Utilities

It is important for every community to constantly evaluate its utilities system for adequacy and capacity needs. The City of Dorris is generally well served by its public utilities for a city of its size.

Goal #2

To continue to plan and develop a timely, orderly and efficient arrangement of public and private utilities and services in a manner that best supports existing and proposed land uses.

Sewer

The residents of Dorris are served by a public sewage collection system with a design capacity of 120,000 gal/day for a population of 1500. Currently there are 385 connections to this system for a population of approximately 900. The treatment and disposal facilities consist of three oxidation-percolation-evaporation ponds with no provisions for surface discharge.

The City needs to develop an industrial sewage pond area to exploit the 106 acres of industrial land immediately adjacent to the Dorris sewage pond, since industrial sewage could damage the residential system.

Goal: To develop an industrial sewage pond system.

Water

Dorris receives its water from a system of three wells. Two are available for normal use, one is a backup for emergency situations. The main well produces 1200 gal/minute, the backup well produces 600 gal/minute. Peak usage in the summer (1984) was 1,000,000 gal/day. There are 450 hookups on an unmetered

system. Peak load water flows for fire protection are 800 to 1000 gal/minute for residential area developments, 1500 gal/minute for commercial development, 2000+ gal/minute for industrial development.

Recommendation: Require industrial users to use water meters and write a City water ordinance regulating fees for water usage.

Electricity

The City is served by Pacific Power and Light. PP&L has a projected five-year surplus of electricity, and has one of the lowest electric rates in the country.

Telephone

Telephone service in Dorris is provided by Dorris Telephone Company.

Gas

Bottled gas is provided by Cal-Gas and Flying J. There is no natural gas service.

Cable TV

Ore-Cal provides cable TV service.

Solid Waste

The County operates a landfill dump outside the City. The City of Dorris owns the site. Jefferson State Sanitation contracts with the City for a garbage franchise.

NOISE ELEMENT

Three broad categories of examination are required for the preparation of a noise element. These are:

1. Highways and freeways
2. Ground Rapid Transit systems
3. Ground facilities of airports

Highways and freeways and Ground Rapid Transit systems have an influence on Dorris.

The purpose of a noise element is to identify those areas which, by the application of identified sound levels, are unsuitable for comfortable human habitation. The question of noise is a difficult one and usually revolves around the definition of how much noise people will tolerate. This plan recommends a standard of 55 to 65 dba during the daytime and 40 to 50 dba during the night.

The problem of noise may be encountered with the advent of new development. Proper zoning and planning can have a major impact on noise pollution.

Goal: It shall be the goal of the City of Dorris to establish a land use system which provides protection to residential areas from noise pollution.

Areas (potential and existing) which exceed acceptable noise levels for most residential zone classifications will be so designated, and appropriate land use classifications will be applied.

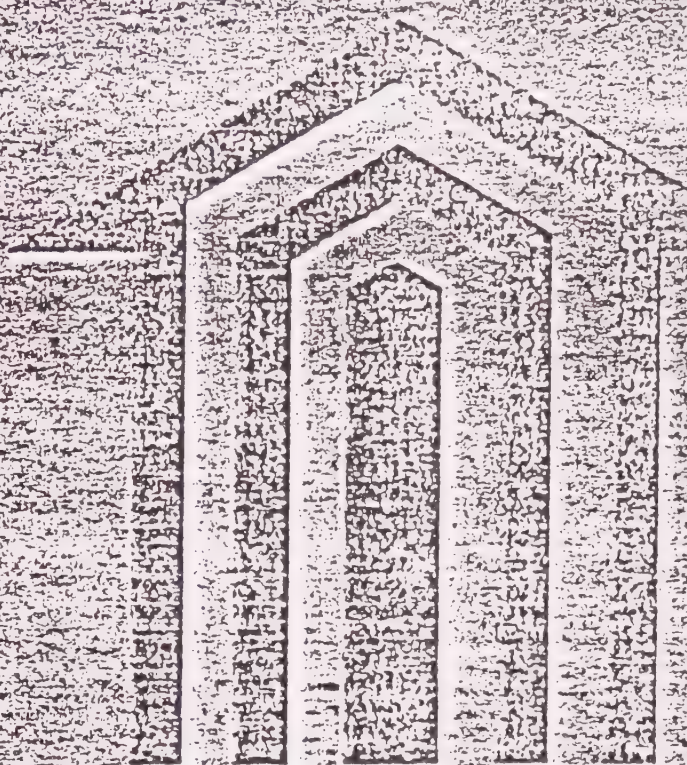
The major sources of noise pollution in Dorris are Highway 97 and the Southern Pacific Railroad. At current levels of use, the

noise levels associated with these sources are tolerable. Future development should be regulated in such a way as to minimize the possible increasing noise pollution levels of these sources.

Residential areas proximate to these noise corridors should be zoned in such a manner as to gradually replace residential use with commercial and/or industrial uses.

(Following is a HUD guide to assess potential noise levels for residential areas.)

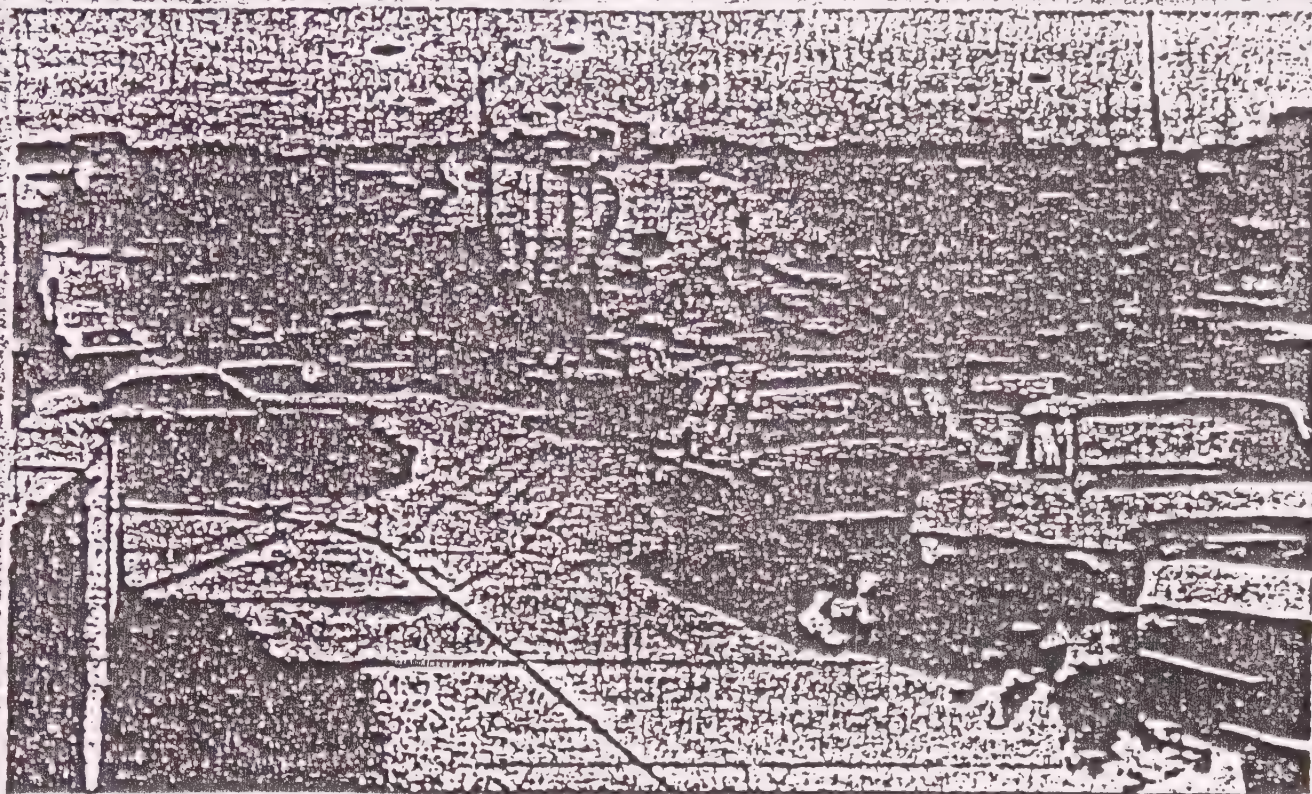
noise assessment guidelines



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Washington, D.C. 20410

Roadways



NECESSARY INFORMATION

To evaluate a site's exposure to roadway noise, you will need to consider all major roads within 1000 ft of the site. The information required for this evaluation is listed below under headings that indicate the most likely source. Before beginning the evaluation, you should try to obtain any available information about approved plans for roadway changes (e.g., widening existing roads or building new roads) and about expected changes in road traffic (e.g., will the traffic on this road increase significantly in the next ten or fifteen years?). Then, record the following information on Worksheet C:

From an area map and/or the City (County) Engineer:

The distances from the site to the center lines of the nearest and farthest lanes of traffic

From the City (County) Director of Traffic:

The peak hourly automobile traffic flow in both directions, combined

The peak number of trucks (buses)* per hour in each direction. (If the road has a gradient of 3% or more, record uphill and downhill numbers separately as these figures will be necessary later. If not, simply record the total number of trucks.)

Note: you may also need to make adjustments for the following circumstances:

- A road gradient of 3% or more
- Stop-and-go Traffic
- Mean Speed
- A Barrier

The information required for these adjustments can be obtained from the City (County) Director of Traffic

* Buses count as trucks

EVALUATION OF SITE EXPOSURE TO ROADWAY NOISE

Traffic surveys show that the level of roadway noise depends on the percentage of trucks in the total traffic volume. To account for this effect, these guidelines provide for separate evaluation of automobile and truck traffic.

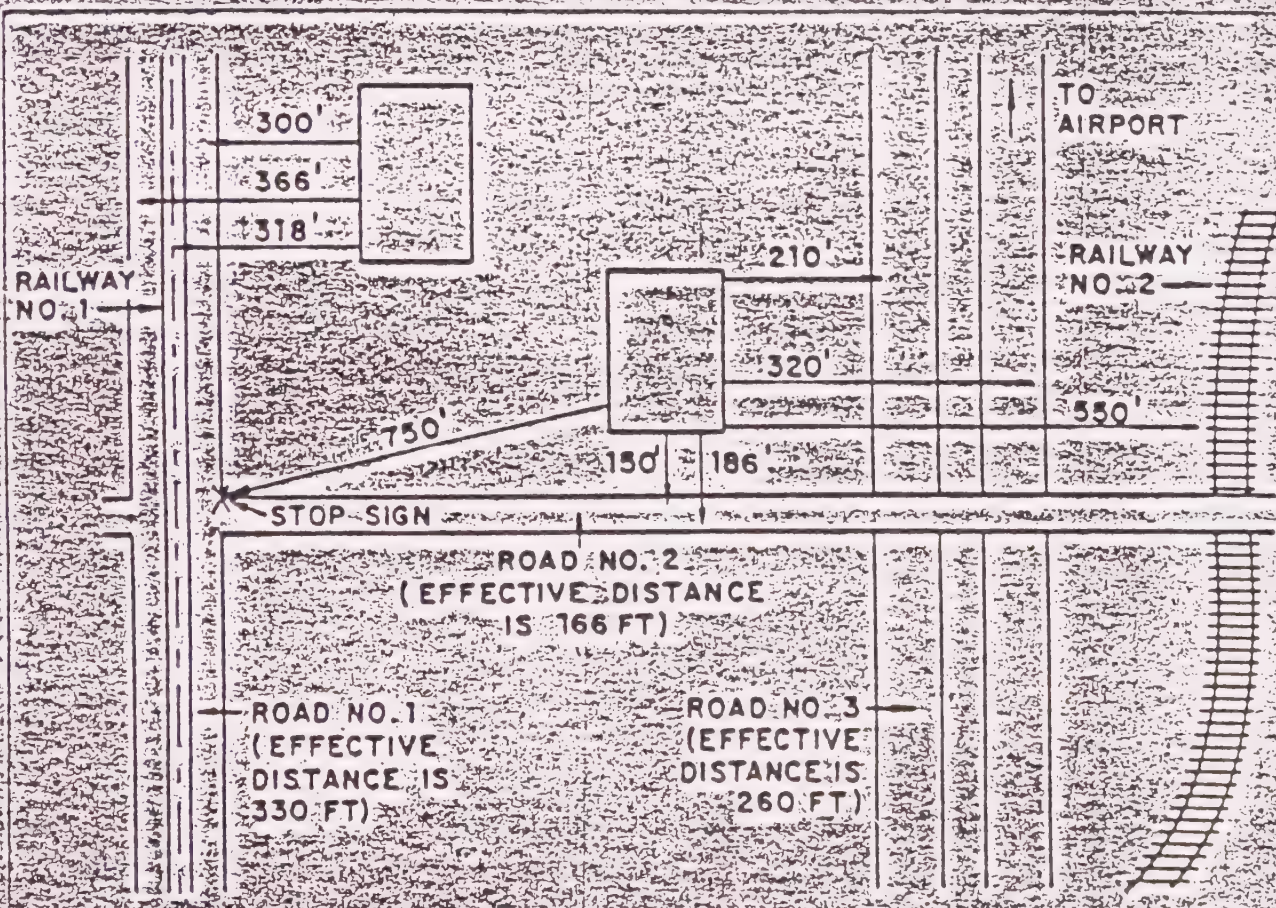
Before proceeding with these separate evaluations, however, determine the effective distance from the site to each road by locating on Figure 1 the distances from the site to the centerlines of the nearest and farthest lanes of traffic.

Examples

The site shown below is exposed to noise from three major roads: Road #1 has four lanes, each 12 ft wide, and a 30-ft wide median strip which accomodates a rapid transit line. Road #2 has four lanes, each 12 ft wide. Road #3 has six lanes, each 15 ft wide, and a median strip 35 ft wide.

The distances shown below will be used for all roadway examples in this booklet.

[Large-scale work-sheet figures are contained in pouch at the back of the book.]



Plan View of Site Showing How Distances Should be Measured From the Location of the Dwelling Nearest to the Source

Effective Distance: (cont'd)

Now lay a straight-edge to connect these two distances and read off the value at the point where the straight-edge crosses the middle scale. This value is the effective distance to the road and should be recorded on line 4.

Automobile Traffic

The numbers in Figure 2, which is used to evaluate the site's exposure to automobile noise, were arrived at with the following assumptions:

There is no traffic signal or stop sign within 800 ft. of the site.

The mean automobile traffic speed is 60 mph.

There is line-of-sight exposure from the site to the road — i.e., there is no barrier which effectively shields the site from the road.

If a road meets these three conditions, proceed to Figure 2 for an immediate evaluation of the site's exposure to the automobile noise from that road.

But if any of these conditions are different, make the necessary adjustment(s) and then use Figure 2 for the evaluation.

Adjustments for Automobile Traffic

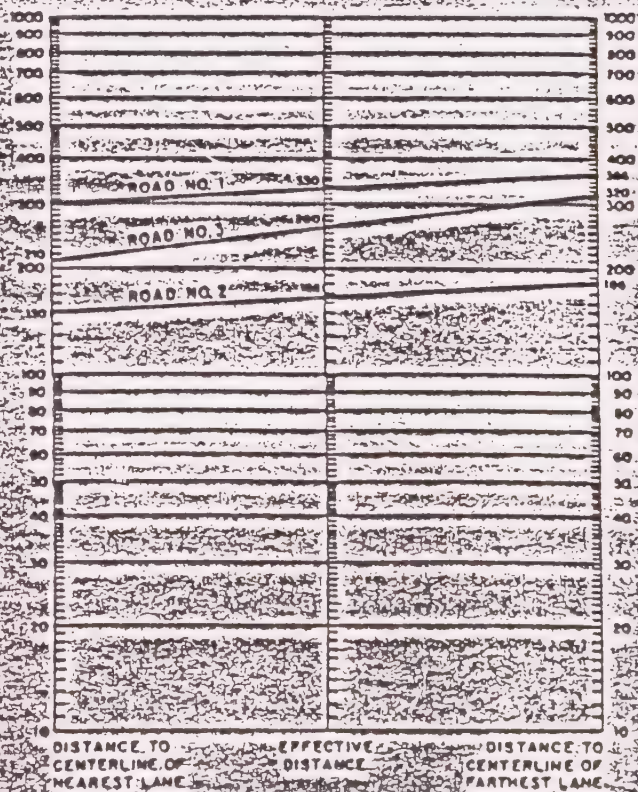
Stop-and-go Traffic

If there is a traffic signal or stop sign within 800 ft. of the site, multiply the total number of automobiles per hour by 0.1. Record your answer on line 5.

Mean Traffic Speed

If there is no traffic signal or stop sign within 800 ft. of the site and the mean automobile speed is other than 60 mph, multiply the total number of automobiles by the appropriate adjustment factor (top of next page). Record your answer on line 6.

Example 1: Road #1 — The distance from the site to the centerline of the nearest lane of traffic is 300 ft. The distance to the centerline of the farthest lane of traffic is 366 ft. Figure 1 shows that the effective distance from the site to this road is 330 ft. **Road #2** — The distance to the centerline of the nearest lane of traffic is 150 ft. The distance to the centerline of the farthest lane of traffic is 186 ft. Figure 1 shows that the effective distance from the site to this road is 166 ft. **Road #3** — The distance to the centerline of the nearest lane of traffic is 210 ft. The distance to the centerline of the farthest lane of traffic is 320 ft. Figure 1 shows that the effective distance from the site to this road is 260 ft.



Example of How Figure 1 is Used to Determine Effective Distances

Mean Traffic Speed

Adjustment Factor

20 (mph)	0.12
25	0.18
30	0.25
35	0.32
40	0.40
45	0.55
50	0.70
55	0.85
60	1.00
65	1.20
70	1.40

Barrier Adjustment

This adjustment affects distance and applies equally to automobiles and trucks on the same road. Therefore, instructions for this adjustment appear after those for truck traffic.

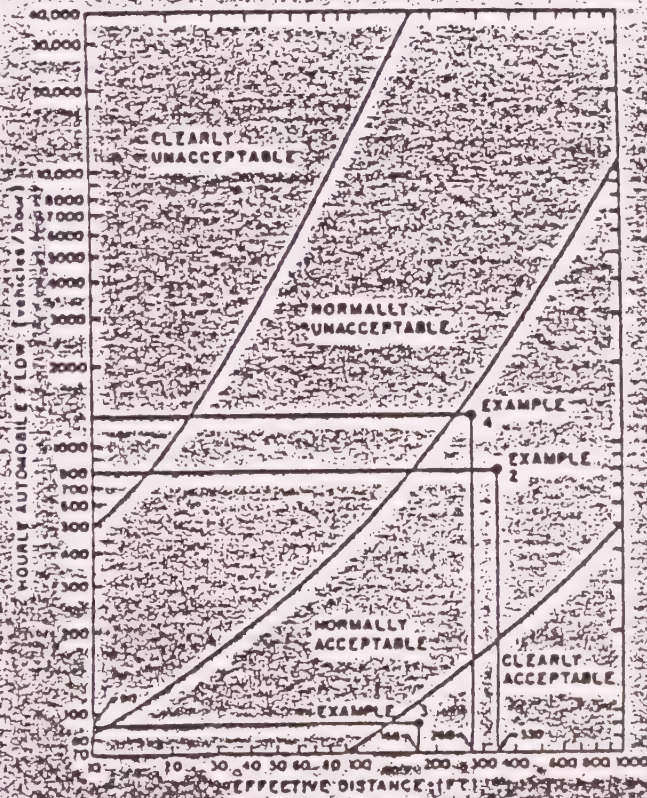
Example 2. Road #1 meets the three conditions that allow for an immediate evaluation. In obtaining the information necessary for this evaluation, we found that the hourly automobile flow is 800 vehicles. On Figure 2, we locate on the vertical scale the point representing 800 vehicles/hr. and on the horizontal scale the point representing 330 ft. (Note that we must estimate the location of this point.) Using a straight-edge, we draw lines to connect these two values and find that the site's exposure to automobile noise from this road is **Normally Acceptable**.

Example 3. Road #2 has a stop sign at 750 ft. from the site. The hourly automobile flow is reported as being 900 vehicles. We adjust for stop-and-go traffic.

$$900 \times 0.1 = 90 \text{ vehicles}$$

and find from Figure 2 that the exposure to automobile noise is **Clearly Acceptable**.

Example 4. Road #3 is a depressed highway. There is no traffic signal or stop sign and the mean speed is 60 mph. The hourly automobile flow is 1200 vehicles. The road profile shields all residential levels of the housing from line-of-sight to the traffic. The only adjustment that can be made is the barrier adjustment. This adjustment is necessary, however, only when the site's exposure to noise has been found **Clearly** or **Normally Unacceptable**. Figure 2 shows that the exposure to automobile noise is **Normally Acceptable**. Therefore, no adjustment for barrier is necessary.



Example of How Figure 2 Is Used to Evaluate Site Exposure to Automobile Noise

TRUCK TRAFFIC

The numbers in Figure 3, which is used to evaluate the site's exposure to truck noise, were arrived at with the following assumptions:

- There is a road gradient of less than 3%.
- There is no traffic signal or stop sign within 800 ft of the site.
- The mean truck traffic speed is 30 mph.
- There is line-of-sight exposure from the site to the road — i.e., there is no barrier which effectively shields the site from the road.

If a road meets these four conditions, proceed to Figure 3 for an immediate evaluation of the site's exposure to truck noise from that road.

But

if any of the conditions are different, make the necessary adjustment(s) listed below and then use Figure 3 for the evaluation.

ADJUSTMENTS FOR TRUCK TRAFFIC

Road Gradient:

If there is a gradient of 3% or more, multiply the number of trucks per hour in the uphill direction by the appropriate adjustment factor.

% of Gradient	Adjustment Factor
3-4%	1.4
5-6%	1.7
More than 6%	2.5

Add to this adjusted figure the number of trucks per hour in the downhill direction and record your answer on line 7.

Example 5: Road #1 meets the four conditions that allow for an immediate evaluation. The hourly truck flow is 60 vehicles. Figure 3 shows that the site's exposure to truck noise from this road is Normally Acceptable.

Example 6: Road #2 has a stop sign at 750 ft from the site. There is also a road gradient of 4%. No trucks are allowed on this road, but 4 buses per hour are scheduled — 2 in each direction.

We adjust first for gradient:

uphill: $2 \times 1.4 = 2.8$ vehicles

downhill: 2 vehicles

total flow: 4.8 vehicles

And then adjust for stop-and-go traffic (see next page):

$4.8 \times 5 = 24$ vehicles (per hour)



Example of How Figure 3 Is Used to Evaluate the Site's Exposure to Truck Noise

Stop-and-go Traffic:

If there is a traffic signal or stop sign within 800 ft of the site, multiply by 5 the total number of trucks. Record your answer on line 8. (If the truck traffic has already been adjusted for gradient, use the number on line 7. If not, use the number of trucks on line 3c for this calculation.)

Mean Traffic Speed:

Make this adjustment only if there is no traffic signal or stop sign within 800 ft of the site and the mean speed is not 30 mph.

If the mean truck speed differs with direction, treat the uphill and downhill traffic separately. Multiply each by the appropriate adjustment factor below.

Add these two numbers and record your answer on line 9. (Remember that the uphill traffic may have been adjusted for road gradient.)

But

If the mean truck speed is the same for both directions, then multiply the total number of trucks (from either line 3c or line 7) by the appropriate adjustment factor. Record your answer on line 9.

Mean Traffic Speed (mph)

Adjustment Factor

20	1.60
25	1.20
30	1.00
35	0.88
40	0.75
45	0.69
50	0.63
55	0.57
60	0.50
65	0.46
70	0.43

Example 6 (continued)

Figure 3 shows that the exposure to truck (bus) noise from this road is Normally Acceptable.

Example 7: The profile of Road #3 shields all residential levels of the housing from line-of-sight to the traffic. The mean truck speed is 50 mph. The hourly truck flow is 175 vehicles. We adjust for mean speed

$$175 \times 0.63 = 110.25 \\ = 110 \text{ vehicles}$$

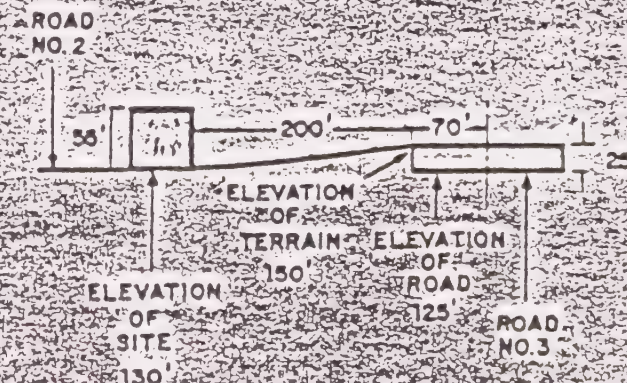
and find from Figure 3 that exposure to truck noise is Normally Unacceptable. Therefore, we proceed with the barrier adjustment (see next page).

Example 7 (cont): Road #3 has been depressed 25 ft from the 150 ft elevation of the natural terrain. The actual road elevation, therefore, is 125 ft. We find the effective road elevation to be

$$125 + 5 = 130 \text{ ft.}$$

Six stories are planned for the housing, which is located at an elevation of 130 ft. The effective site elevation for the highest story is

$$6 \times 10 = 60 + 130 - 5 = 185 \text{ ft.}$$



Detail of Site Showing the Measurements Necessary for a Barrier Adjustment

Barrier Adjustment:

Note: A barrier may be formed by the road profile, by a solid wall or embankment, by a continuous row of buildings, or by the terrain itself. To be an effective shield, however, the barrier must block all residential levels of all buildings from line-of-sight to the road, and it must not have any gaps that would allow noise to leak through.

This adjustment is necessary only when the site's exposure to noise from a road has been found Normally or Clearly Unacceptable.

To make the barrier adjustment, you should first record on line 10 the distance between the site and the barrier and on line 11 the distance between the center of the road and the barrier; then you should determine the differences in effective elevation between (1) the site and the road and (2) the barrier and the road as follows:

Step 1. From the City (County) Engineer, obtain the elevation of the road. (Roads may be elevated above the natural terrain or may be depressed, as in our example; make certain, therefore, that the figure you obtain for road elevation takes any such change into account.) Add 5 ft. to this figure to obtain the effective road elevation and record your answer on line 12.

Step 2. From the applicant, obtain the ground elevation of the site and the number of stories in the proposed housing. Multiply the number of stories by 10 ft. Add the site elevation and then subtract 5 ft. from this total to obtain the effective site elevation. Record your answer on line 13.

Step 3. From the City (County) Engineer or a contour map, obtain the elevation of the terrain where the barrier is located. Add the actual height of the barrier to obtain the effective barrier elevation. Record your answer on line 14. (Note that in some cases, as in our example, the barrier is formed by the road profile and the elevation of the terrain is the effective barrier elevation.)

Example 7 (continued)

The barrier, which is formed by the road profile, has no height other than the 150 ft. elevation of the natural terrain. Thus, the effective barrier elevation is 150 ft.

The difference in effective elevation between (1) the site and the road is 55 ft and (2) the barrier and the road is 20 ft.

We now use Figure 4 to find the barrier adjustment factor.

Example of Barrier Adjustment

- The distance from the site to the barrier is 200 ft.
- The distance from the center of the road to the barrier is 70 ft.
- The difference in effective elevation between the site and the road is 55 ft.
- The difference in effective elevation between the barrier and the road is 20 ft.

On the vertical scale of Graph 1, we mark 200 ft. and draw a straight horizontal line to meet the curve marked 70 ft. Then, we draw a vertical line down to Graph 2 to meet the point which represents 55 ft. (note that we must guess the location) and a horizontal line over to Graph 3 to meet the curve marked 20 ft.

(Note: If the line from Graph 2 does not meet the appropriate curve on Graph 3, then the barrier is not an effective shield and there is no adjustment.)

Next, we draw a vertical line up to Graph 4 to meet the curve marked 4 (which is the number intersected by the line going from Graph 1 to Graph 2) and a horizontal line over to Graph 5 to meet the curve marked 200 ft. From Graph 5, we draw a vertical line down to the adjustment scale and find that our multiplier is 1.8.

Record the difference in effective elevation between the site (line 13) and the road (line 12) on line 15. Record the difference in effective elevation between the barrier (line 14) and the road (line 12) on line 16.

To find the barrier adjustment factor, you will need Figure 4, a straight edge, and the information recorded on lines 10, 11, 15, and 16. The Example of Barrier Adjustment explains how to use Figure 4.

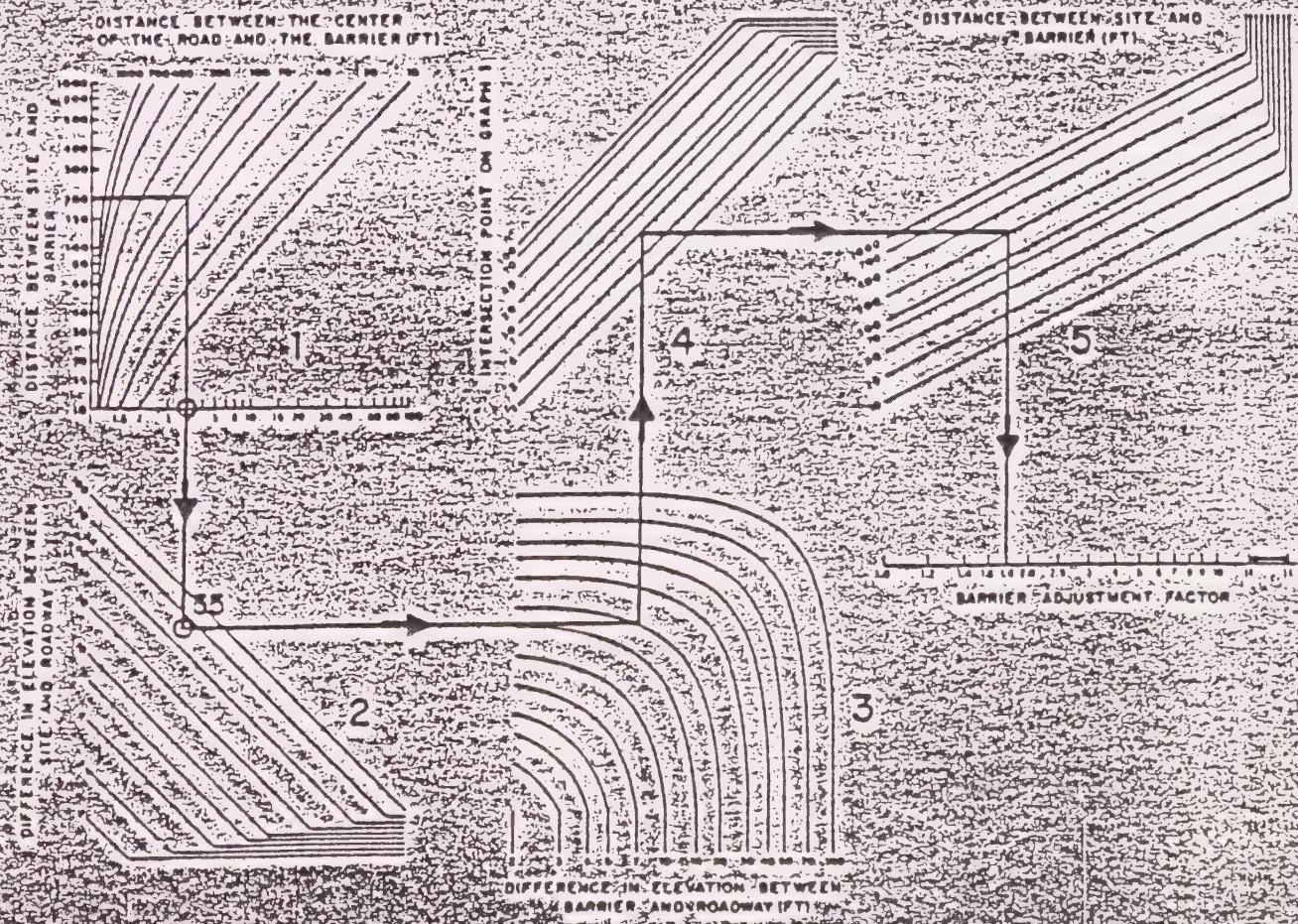
When you have determined the barrier adjustment factor, multiply line 4, the effective distance, by the adjustment factor to obtain the adjusted distance from the site to the road. Record your answer on line 17.

Example 7 (continued)

Using this multiplier, we adjust the effective distance:

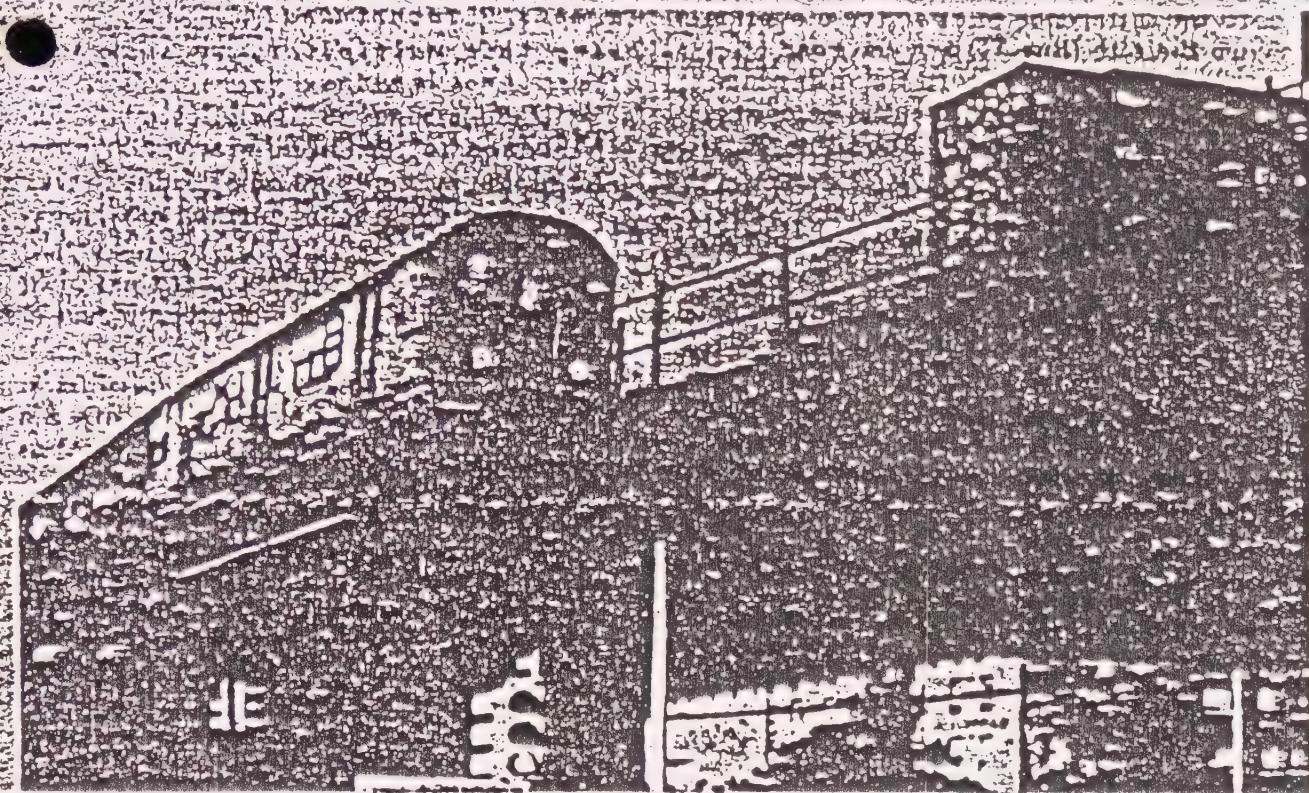
$$260 \times 1.8 = 468 \text{ ft.}$$

and find from Figure 3 that the site's exposure to truck noise from this road is Normally Acceptable.



Example of How Figure 4 is Used to Find the Adjustment Factor

Railways



NEED FOR INFORMATION

To evaluate a site's exposure to railway noise, you will need to consider all above-ground rapid transit lines and railroads within 3000 ft of the site. The information required for this evaluation is listed below under headings that indicate the most likely source.

Before beginning the evaluation, you should record the following information on Worksheet D:

From an area map and/or the (County) Engineer:

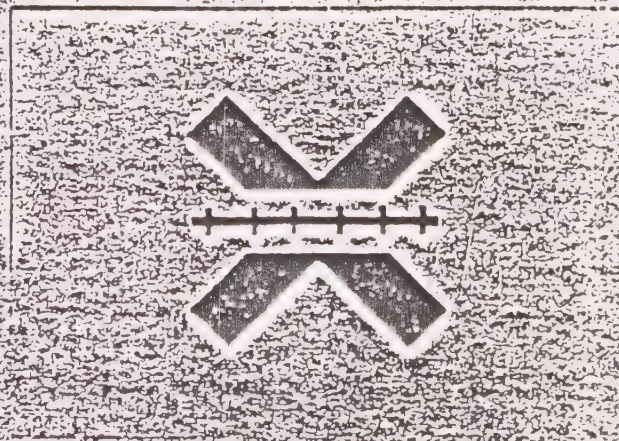
The distance from the site to the railway right-of-way.

Does a barrier effectively shield the site from the railway? (Remember that an effective barrier blocks all residential levels of all buildings from line-of-sight of the railway and has no gaps that would allow noise to leak through.)

From the Supervisor of Customer Relations for the railway:

The number of nighttime (10:00 p.m. - 7:00 a.m.) railway operations.

Any available information about approved plans for changing the number of nighttime operations.



EVALUATION OF SITE EXPOSURE TO RAILWAY NOISE

The distances in Table III were arrived at with the assumption that there are 10 or more nighttime (10:00 p.m. - 7:00 a.m.) railway operations.

If a railway has 10 or more nighttime operations, proceed to Table III for an immediate evaluation of the site's exposure to noise from that railway.

But

if a railway has fewer than 10 nighttime operations, multiply the distance from the site to that railway by the appropriate adjustment factor, then proceed to Table III.

Number of Nighttime Railway Operations	Adjustment Factor
1 - 2 operations	3.3
3 - 5 operations	1.7
6 - 9 operations	1.2

Example 1. The distance from the site to Railway #1 is 318 ft. There are 2 nighttime operations and there is direct line-of-sight to the right-of-way. Since there are fewer than 10 nighttime operations, we adjust the distance as follows:

$$318 \text{ ft.} \times 3.3 = 1049 \text{ ft.}$$

and then proceed to Table III where we find that the exposure to noise from this railway is Normally Acceptable.

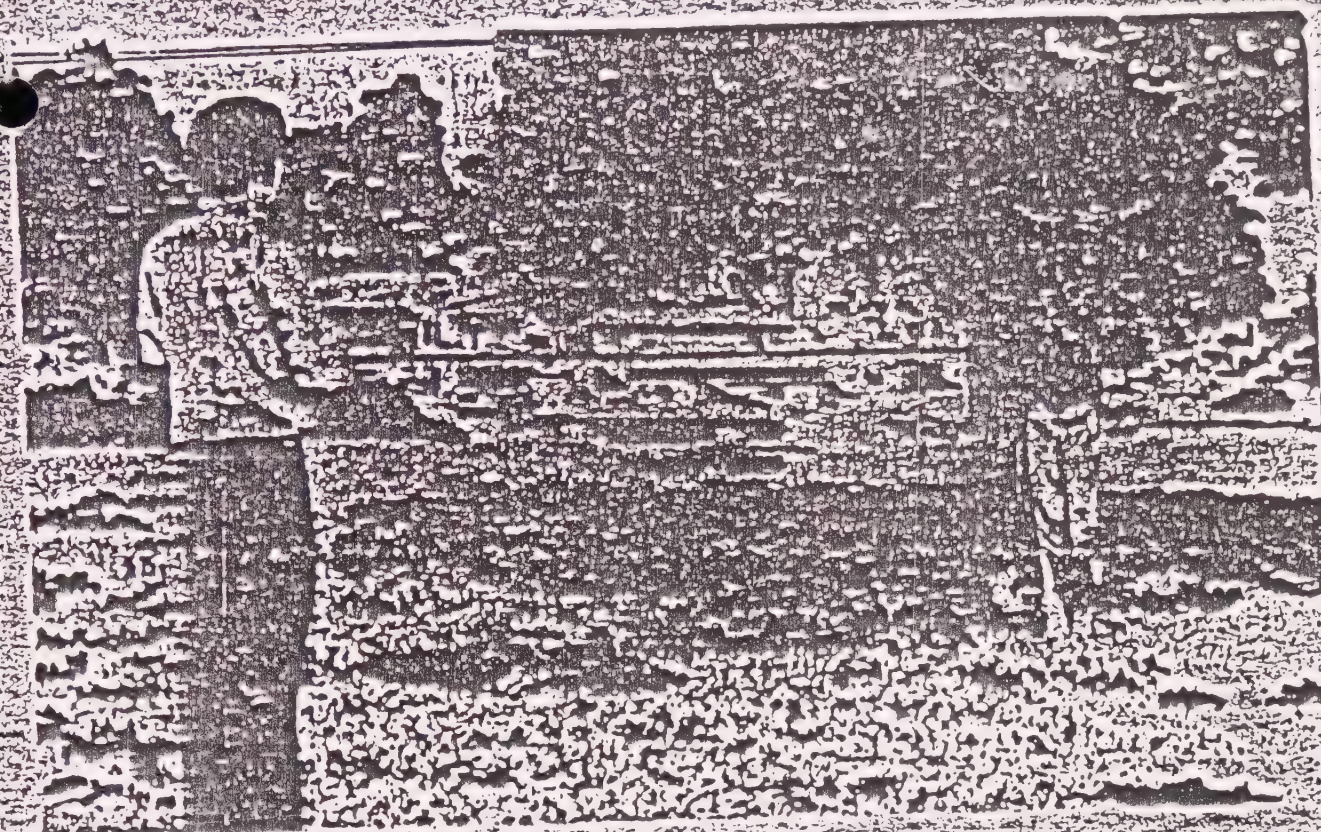
Example 2. The distance from the site to Railway #2 is 550 ft. There are 20 nighttime railway operations and the site is completely shielded from the right-of-way. Since there are more than 10 nighttime operations, we proceed immediately to Table III and find that the site's exposure to noise from this railway is Clearly Acceptable.

TABLE III.

SITE EXPOSURE TO RAILWAY NOISE

Distance from Site to Right-of-Way: (Possibly adjusted for number of nighttime operations)		Acceptability Category
Line-of-Sight Exposure	Shielded Exposure	
More than 3000 ft.	More than 500 ft.	Clearly Acceptable
Between 601 and 3000 ft.	Between 101 and 500 ft.	Normally Acceptable
Between 101 and 600 ft.	Between 51 and 100 ft.	Normally Unacceptable
Less than 100 ft.	Less than 50 ft.	Clearly Unacceptable

Walk-Away Test



NECESSARY INFORMATION

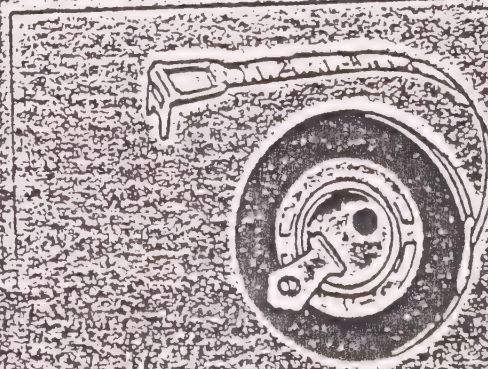
The Walk-Away Test is an optional evaluation that may be performed during any visit to the site. However, when the site's exposure to more than one source of noise is found normally, rather than clearly acceptable, the Walk-Away Test is strongly recommended as means of assessing the cumulative effects of noise from various sources.

The Walk-Away Test has been designed to evaluate, without reference to specific sources, the overall noise condition at a site. Since noise may vary during a 24-hour period, this test should be performed at those hours when noise is apt to be most severe, i.e., during the peak morning and afternoon traffic periods, and at those hours when noise is apt to be most annoying, i.e., between 10:00 p.m. and midnight when people are trying to go to sleep.

When performing a Walk-Away Test, you should record the following information on Worksheet E:

The date and time of the visit to the site.

The average of distances where understanding just becomes difficult.



The Walk-Away Test requires two men who exchange roles as speaker and listener; thus, each person should have normal hearing and an average voice. To perform the test, you will need a 100-ft tape measure and some reading material with which both persons are unfamiliar.

The speaker should stand at fixed location, while the listener, starting at a distance of 2 or 3 ft, backs slowly away. The speaker should hold the reading material at chest height in such a way as not to block the direct path from himself to the listener. He should not raise his voice in an attempt to maintain communication.

At some point the listener will find that he can understand only a scattered word or two over a period of 10 seconds or more. At this point, measure the distance between the listener and the speaker.

For consistent and accurate results, this procedure should be repeated several times during each visit and the distances should be averaged. Also, the roles of speaker and listener should be reversed to average out variations of normal speaking levels and hearing acuity. After each visit, evaluate the site's overall noise levels by using Table IV.

Example: The site's exposure to both roadway and railway noise has been evaluated as Normally Acceptable. Therefore, we assess the overall noise levels during three separate weekday visits to the site. During Visit #1, made between 8:00 and 9:00 a.m., the distances where understanding just became difficult were 50 ft, 55 ft, and 54 ft for an average of 53 ft. The average of distances for Visit #2, made between 4:00 and 5:00 p.m., was 47 ft and for Visit #3, made between 10:00 and 11:00 p.m., was 68 ft.

Table IV shows that during each visit, the overall noise level at the site was Normally Acceptable.

TABLE IV.

SITE EXPOSURE TO OVERALL NOISE LEVELS

Distance Where Understanding Becomes Very Difficult	Acceptability Category
More than 70 ft	Clearly Acceptable
26-70 ft	Normally Acceptable
7-25 ft	Normally Unacceptable
Less than 7 ft	Clearly Unacceptable

RECREATION, SCENIC HIGHWAYS,
OPEN SPACE AND CONSERVATION ELEMENTS

Parks and recreation are the most direct way a community can contribute to an area's livability. The development of parks creates open space which provides opportunities for play and recreation.

Recreation is defined as any play, amusement or activity used for the refreshment of body and mind. To assist with this activity, it has become increasingly important to provide and develop park facilities.

The objective of recreational planning is to define existing facilities and to develop, protect, maintain and acquire new sites for park and recreation development as needed. Park and recreational sites can be considered as part of the open space stock of the community and serve to satisfy two planning goals.

Goals:

1. It shall be the goal of Dorris to develop new park and recreation facilities where needed.
2. It shall be the goal of Dorris to provide adequate park and recreation sites for the entire population.

Inventory:

Dorris has one formal park located at Fourth and Oregon. Its facilities include a playground, picnic area, and youth building.

The Dorris Elementary School has a large field behind it that can be used for Little League play and adult softball.

The High School has a large field behind it which includes

a hard pitch baseball field and a new Little League facility.

The City Hall also doubles as a community hall and serves as the only indoor space besides the school for large community events. It is currently used by the City's seniors, Lions Club, Women's Club, Grange, COS dance class, youth groups and churches, to name a few.

There is a small private museum operated by Herman Johns.

Recommendations:

1. That an upgraded adult softball field be developed.
2. That a park on the east side of the City, where new development is most likely to happen, be encouraged by City planning and zoning authority.
3. That the City Hall be brought up to building code standards, and that facilities within it be expanded and upgraded if possible.

Open Space in an urban environment is necessary to reduce feelings of "closed-in-ness" and to provide relief from the sometimes overwhelming concentration of buildings, streets and people. In rural towns such as Dorris, open space abounds in the character of agricultural fields, forests, and mountainous area. Open space within Dorris' boundaries consists mostly of the aforementioned park areas. Further development of open space is neither necessary nor desirable.

There are no highways in the vicinity of Dorris other than Route 97. It may be in the interests of Dorris and Butte Valley to have this highway designated as a scenic highway, along with Route 161 to Tulelake, to enhance tourism development in the region.

There is no need for a formal conservation program within the City boundaries of Dorris, except for the protection of the aquifer that feeds Dorris' wells. Other natural resources such as forests, wildlife, prime agricultural land, etc., do not exist in quantity or quality inside Dorris' boundaries.

The major threat to the aquifer within Dorris is the industrial development of the old sawmill site and the surrounding vacant acreage. Adequate provision for sewage, and control of toxic substances and potential runoff, will protect the aquifer from contamination. As this area redevelops, Dorris' permit process should emphasize the need to mitigate any potential hazardous effects of industrial development.

There are no streams or waterways within Dorris or in the Dorris area, thus eliminating the need to discuss this resource, often a crucial one for other communities.

ZONING ORDINANCE
CITY OF DORRIS, CALIFORNIA

The City Council of the City of Dorris does ordain as follows:

ARTICLE I

ADOPTION OF ZONING PLAN

Section 1.1 Adoption: There is hereby adopted a Precise Zoning Plan for the City of Dorris, State of California. Said plan is adopted to promote and protect the public health, safety, peace, morals, comfort and general welfare.

Section 1.2 Purpose: The purpose of this ordinance is to provide for the systematic execution of the Land Use Element of the General Plan for the physical development of the City of Dorris.

Accordingly, this Zoning plan is adopted to: Protect the established character, social and economic values of residential, commercial, industrial, recreational and other areas within the city which have developed in a healthy and orderly manner;

Encourage beneficial development of those areas which have developed with conflicting or uneconomic patterns of use; and assist in providing a definite and publicly approved plan of development to guide control and stimulate the future growth of the city in accordance with the need of the community.

Section 1.3 Short Title: The ordinance shall be known by the following short title "The Dorris Zoning Ordinance".

ARTICLE II

DEFINITIONS

Section 2.1 For purposes of this Ordinance certain terms are hereby defined. Words used in the present tense shall include the future; words used in the singular shall include the plural; the word "shall" is mandatory, and the word "may" is permissive.

Section 2.2 Definitions of the terms used in this Ordinance are set forth as follows:

2.201 "Alley" A public or private thoroughfare which affords only a secondary means of access to abutting property.

2.202 "Apartment" A family unit contained in a multiple dwelling.

2.203 "Block" All property fronting upon one side of a street, between intersecting and intercepting streets, or between a street and a railroad right-of-way, water-way, dead end street or unsubdivided land. An intercepting street shall determine only the boundary of the block on the side of a street which it intercepts.

2.204 "Boarding House" A building or a portion thereof designed or used exclusively for residential occupancy other than a hotel or motel and where lodging and meals for three (3) or more persons is provided for compensation.

2.205 "Boarding House" A building or a portion thereof designed or used exclusively for residential occupancy other than a hotel or motel and where lodging and meals for three (3) or more persons is provided for compensation.

2.205 "Building" Any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, animal or property.

2.206 "Building, Accessory" A subordinate building, including shelters of pools, the use of which is incidental to that of the main building on the same lot and/or building site, including guest houses which are not permanent living quarters.

2.207 "Building, Main" A building which is designed for or in which is conducted the principal use of the lot and/or building site on which it is situated.

2.208 "Building Site" A lot or parcel of land occupied or to be occupied by a main building and accessory building, or by a dwelling group and its accessory buildings, together with such open spaces as are required by the terms of this ordinance and having not less than thirty (30) feet of frontage on a dedicated street, road or highway.

The handle of panhandle lots and the staff of flag lots, are excluded from the square footage and depth requirements, and therefore are not considered as part of the building site.

- 2.209 "Business, Retail" The retail sale of any article, substance or commodity, within a building, but not including the sale of lumber or other building materials.
- 2.210 "Business, Wholesale" The wholesale handling of any article, substance or commodity, but not including the handling of lumber or other building materials or the open storage or sale of any material or commodity, and not including the processing or manufacture of any product or substance.
- 2.211 "Combining District" Any district in which the general district regulations are combined with those special districts defined in Section 3.2 hereof for the purpose of adding additional special regulations.
- 2.212 "District" A protion of the City within which certain uses of land and buildings are permitted or prohibited and within which certain yards and other open spaces are required and certain height limits are established for buildings, all as set forth and specified in this ordinance.
- 2.213 "Drive-In Restaurant" An establishment where prepared food and/or beverages are dispensed to patrons within automobiles or where prepared food and/or beverages are dispensed to patrons for consumption within automobiles on the premises or elsewhere, and including establishments where prepared food and/or beverages are dispensed to self-service patrons for consumption in outdoor eating areas.

- 2.214 "Dwelling" A building or portion thereof designed or used exclusively for residential occupancy, including one-family, 2-family, 3-family dwellings and apartments, multiple-family dwellings, but not including hotels, motels or boarding and rooming houses.
- 2.215 "Dwelling, Single Family" A building designed for, or used to house not more than one family, including all necessary employees of such family.
- 2.216 "Dwelling, Two-Family or Duplex" A building containing not more than two kitchens, designed and/or used to house not more than two families, living independently of each other, including all necessary employees of each such family.
- 2.217 "Dwelling, Multiple" A building or portion thereof, used and designed as a residence for three (3) or more families living independently of each other and doing their own cooking in said building, including apartment houses, apartment hotels and flats, but not including motels, boarding houses and hotels.
- 2.218 "Dwelling Groups" A group of two or more detached or semi-detached, 1-family, 2-family, or multiple dwellings occupying a parcel of land in one ownership and having any yard or court in common, but not including motels.
- 2.219 "Family" One or more persons occupying a premise and living as a single housekeeping unit, as

distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include necessary servants.

2.220 "Fence" Any device forming a physical barrier by means of hedge, wood, mesh, metal, chain, brick, stake, plastic or other similar materials.

2.221 "Garage or Carport" Accessible and usable covered space of not less than ten (10) feet by twenty (20) feet per vehicle for storage of automobiles so located on the lot as to meet the requirements of this ordinance for an accessory building, or if attached to the main building, to meet the requirements applicable to the main building. Accessibility shall be deemed to mean surfacing with Portland cement concrete, asphaltic concrete or armor coat material.

2.222 "Garage Space" An accessible and usable space of not less than nine (9) feet by twenty (20) feet per vehicle for the storage of automobiles so located on the lot as to meet the requirements of this ordinance for an accessory building. Accessibility shall be deemed to mean surfacing with Portland cement concrete, asphaltic concrete or armor coat materials.

2.223 "Guesthouse" An accessory building which is a detached living quarters of a permanent type of construction and without kitchen or cooking facilities, and where no compensation in any form is received or paid.

2.224 "Home Occupation" The City of Dorris recognizes the need for its citizens to use their place of residence for some limited activity other than as a residence. However, the City believes that the need to protect the residential integrity of its living areas is of paramount concern. A "Home Occupation" permit is the method used to allow and to control activity within the City's residential districts.

In essence, the objective of a "Home Occupation" permit is to allow a limited commercial-type activity in a residential area only to the extent that, to all outward appearance, no neighbors or passersby will be aware of the activity. In practice, a "Home Occupation" permit gives the permittee the legal right to use his/her residence for a business phone and business mailing address, but not to the extent that excessive foot and automobile traffic are generated.

In cases where the Planning Commission decides that the proposed use may not conform with the subject guidelines, the Planning Commission may, but is not obliged to, issue a temporary approval for a specific time period, not to exceed twelve months.

"Home Occupation" permits may be reviewed annually prior to issuance of business license.

2.225 "Height of Building" The vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the

topmost point of the roof, excluding elevator equipment rooms, ventilating and air conditioning equipment.

2.226 "Hotel" Any building or portion thereof containing six (6) or more guest rooms used, designed or intended to be used, let or hired out for compensation, whether the compensation for hire be paid directly or indirectly, such building or portion thereof having one principal entryway or entrance, and a lobby or other public room or rooms common to all guest rooms.

2.227 "Junk Yard" More than one hundred (100) square feet of the area of any lot or parcel used for the storage of junk, including scrap metals, salvage or other scrap materials, or for the dismantling or "wrecking" of automobiles or other vehicles or machinery, whether for sale or storage.

2.227.1 LIGHT MANUFACTURING - Business that assembles, fabricates, or constructs products for sale to wholesale or retail outlets. Characteristics are; less than 75 workers per shift. Non-smoke stack production, no use toxic chemicals or agents in production.

2.228 "Local Public Utility Use" Poles, wire and cables for local distribution of utility services; telephone transmission and distribution poles, wires and cables; underground gas and water distribution pipes

and electric distribution; and telephone distribution and transmission cables.

2.229 "Lot" A building site.

2.230 "Lot Depth" The distance to the rear lot line measured perpendicular to the front line of the lot taken at the midpoint of the street frontage, but excluding the length of any access road (flag or panhandle portion) of the lot.

2.231 "Lot, Exterior" A lot, one side lot line of which separates the side from a street.

2.231.1 HEAVY MANUFACTURING - Businesses that assemble, fabricate or construct products for sale to wholesale or retail outlets. Characteristics are; more than 75 workers per any shift, use of smoke stack for production with a significant release of particulate matter into the atmosphere, use of toxic chemicals or agents, and generation of more than 8 trucks per hour routinely, over a eight hour normal work period.

2.232 Lot, Hillside" A lot which, prior to grading, has an average slope of fifteen percent (15%) or greater measured between the rear lot line and the front lot line, or between side lot lines; or a lot with a building site which lies at least fifteen (15) feet above or below the building site of any adjacent lot.

2.233 "Lot, Interior" A lot, the side lot lines of which separates the sides from adjoining lots.

- 2.234 "Lot Line" A line separating the frontage from a street; the side from a street or adjoining property; the rear or side from an alley or street or adjoining property.
- 2.235 "Lot Line, Exterior" A lot line separating the side of a lot from a street.
- 2.236 "Lot Line, Front" The shortest dimension of a lot fronting on a street.
- 2.237 "Lot Line, Interior" A lot line separating the side of a lot from adjoining property.
- 2.238 "Lot Line Rear" The lot line opposite or approximately opposite the front lot line.
- 2.239 "Lot Line Side" Any lot line not a front or rear lot line.
- 2.240 "Lot, Reverse Frontage" The first lot to the rear of a corner lot, the front line of which is a continuation of the side line of the corner lot exclusive of the width of any alley and fronting on the street which intersects or intercepts the street upon which the corner lot fronts.
- 2.241 "Lot, Through" A lot having frontage on two parallel or approximately parallel streets.
- 2.242 "Lot Width" One-half (1/2) of the total width of the front and rear lot lines, measured at right angles to the depth.
- 2.243 "Motel" A group of attached or semi-attached building containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly

from the outside of the building; each room or unit with garage attached or parking conveniently located close by on the lot and which is designed, used or intended wholly or in part for the accommodation of transients and including auto court, motor court, motor lodge and motor hotel.

2.244 "Non-Conforming Use" A use that does not conform to the regulations for the district in which it is situated.

2.245 "Office" A business establishment for rendering of service or administration, but not including retail sales.

2.246 "Parking Lot" Any land used or intended to be used or provided for the parking of automobiles by any person whether for hire or to meet the off-street parking space requirements of this Ordinance.

2.247 "Parking Space" An accessible and usable space on the building site, or adjacent lot, at least nine (9) feet by twenty (20) feet, for the parking of automobiles. Accessibility shall be deemed to mean surfacing with Portland cement concrete, asphaltic concrete or armor coat material.

2.248 "Person" Includes any individual, city, county, or city and county; partnerships, corporations, cooperatives, association, trust or other legal entities, including the State of California and the Federal Government.

- 2.249 "Personal Service Establishment" An office or business establishment for the rendering of services or administration which may include sales at retail and including but not limited to advertising, barber, cosmetologist, contractor, pest control service, pharmacy, private investigator, cleaning and laundry agency, photographic studio, radio, television and appliance repairs, shoe repair, dressmaking, custom millinery and tailor shop.
- 2.250 "Professional Office" An office for the conduct of any one of the following uses: Accountant, architect, attorney, chiropractor, clergyman, dentist, doctor, engineer, optometrist, podiatrist, physical therapist, social worker, surveyor, excluding but not limited to: advertiser, barber, cosmetologist, contractor, pest control, pharmacy, private investigator, veterinary or other service establishment.
- 2.251 "Public Utility Office" Offices for business records and administration of public utilities.
- 2.252 "Public Utility Service Uses" Electric transmission substations and transmission lines; service yards and field operating centers; gas storage holders.
- 2.253 "Public Utility Substations" Communications equipment buildings, electric distribution substations, public utility pumps, wells, and valve stations.
- 2.254 "Rest Home" Any premises licensed under Section 2300 or any replacing section of the Welfare and

Institutions Code of the State of California.

- 2.255 "Rooming House" A building or a portion thereof designed or used exclusively for residential occupancy other than a hotel or motel and where lodging for three (3) or more persons is provided for compensation.
- 2.256 "Sanitarium" A health station or retreat or other place where patients are housed, and where treatment is given, but excluding mental institutions or institutions for treatment of persons addicted to the use of drugs or alcohol.
- 2.257 "School" A public, private or parochial general educational institution but not including schools devoted to instruction in particular crafts or skills such as dancing, business colleges, beautician and barber schools.
- 2.258 "School, Trade" A private educational facility devoted to instruction in particular crafts, trades or skills such as dancing, business colleges, beautician and barber schools, radio and television schools.
- 2.259 "Service Station" A retail business engaged in supplying goods and services essential to the normal operation of automobiles including the sale of gasoline and motor oil, the sale and service of tires, batteries and automotive accessories and replacement items, washing of automobiles and

lubrication service but not including body or fender work, automobile painting, major motor repairs or running gear repairs or storage of damaged or wrecked vehicles.

2.260 "Setback Lines" A line established by this ordinance to govern the placement of buildings or structures with respect to lot lines, streets or alleys.

2.261 "Side and Front of Corner Lots" For the purpose of this ordinance the narrowest frontage of a corner lot facing the street is the front, and the longest frontage facing the intersecting street is the side, irrespective of the direction in which the dwelling faces.

2.262 "Signs" Any advertising, informational or directional display or structure.

2.263 "Sight Distance Area" The area included within that triangular area between the property line and a diagonal line joining points of the property line thirty (30) feet from the point of their intersection, or in the case of rounded corners the triangular area between the tangents to the curve and a diagonal line joining points on said tangent thirty (30) feet from the points of their intersection. The tangents referred to are those at the beginning and at the end of the curve at the corner.

2.264 "Street" A public thoroughfare which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard,

highway, road, and any other thoroughfare except an alley as defined herein.

2.265 "Street Line" The boundary between a street right-of-way and property.

2.266 "Structure" Anything constructed or erected, the use of which requires location on or in the ground, or attachment to something having location on the ground, including swimming pools, excluding driveways, patios, or parking spaces.

2.267 "Structural Alterations" Any change in the supporting members of a structure, such as bearing walls, columns, beams or girders.

2.268 "Trailer Park" Land or premises used or intended to be used, let or rented for occupancy by one or more trailers, movable dwellings, rooms or sleeping quarters of any kind including trailer courts and mobile home parks.

2.269 "Use" The purpose for which land or a building is designed, arranged, or intended, or for which either land or buildings is or may be occupied or maintained.

2.270 "Use - Accessory" A use incidental or subordinate to, and devoted exclusively to the main use of a lot or a building located on the same lot.

2.271 "Yard" An open space other than a court on the same lot with a building, which open space is unoccupied and unobstructed from the ground upward, except as

otherwise permitted in Article V.

2.272 "Yard, Front" A yard extending across the front of the lot between the side lot lines and measured from the front line of the lot to the nearest line of the building; provided however, that if any Official Plan Line has been established for the street upon which the lot faces, the front yard measurement shall be taken from such Official Plan Line to the nearest line of the building.

2.273 "Yard, Rear" A yard extending across the full width of the lot and measured between the rear line of the lot and the nearest line of the main building.

2.274 "Yard, Side" A yard between the side line of the lot and the nearest line of the building and extending from the front yard of the lot to the rear yard.

ARTICLE III

ESTABLISHMENT AND DESIGNATION OF ZONING DISTRICTS

Section 3.1 There are hereby established several districts into which the City of Dorris is divided and which are designated as follows:

- R-1 Single Family Residential
- R-M-2 Residential-Multifamily Duplex
- R-M-A Residential-Multifamily Apartment
- C Commercial
- C-H Commercial Highway
- C-R Commercial Residential
- M Manufacturing
- PUD Planned Unit Development
- OP Open Space

Section 3.2 The boundaries of the districts designated and established by Section 3.1 are shown on the map entitled "Zoning Map of the City of Dorris" which map is incorporated in and made a part of this Ordinance. An official copy of said map shall be kept by the City Clerk of the City of Dorris for the purpose of public access, review, and changes (as designated in Section 3.5). The districts shown on said map are hereby declared to be subject to the regulations pertaining to such designated districts as said regulations are set forth in this ordinance.

Section 3.2 No person shall use any land building or structure nor shall any building or structure be erected constructed enlarged, altered, moved, or used in any district shown on said map except in accordance with the regulations established by this ordinance.

Section 3.4 Where the exact boundaries of a district cannot be readily or exactly ascertained by reference to the Zoning Map of the City of Dorris, the boundary shall be deemed to be along the nearest street line or lot line, as the case may be . If a district boundary line divides or splits a lot, the lot shall be deemed to be included within the district which is the more restrictive. Where such methods are not appropriate, boundaries shall be determined by scaling the location of such boundaries as shown upon the Zoning Map.

Section 3.5 Changes in the boundaries of districts, shall be made by ordinance in the manner provided in Article IX hereof, said ordinance describing the area to be changed by lot and block number, or by metes and bounds. After adoption of any ordinance changing any boundaries or any district, the City Clerk shall mark the aforementioned map to show number and date of adoption of the ordinance making such changes. Every two years the City's Zoning Map shall be updated to show all changes made by ordinance during the past two years.

Section 3.6 All lands now within or hereafter annexed to the City of Dorris which are not designated on the aforementioned zoning map as being included in any district, are and shall be designated as "U" or Unclassified Districts.

ARTICLE IV

PERMITTED USES AND SITE REQUIREMENTS

Section 4.1 R-1 Zone

Permitted Uses: Single Family dwelling, accessory buildings, public buildings, churches, parks, playgrounds, hospitals.

With Use Permit: Home Occupation, landscaped parking lots, duplexes.

Site Requirements: minimum size - 6000 sq feet; minimum lot width, 50 feet; maximum allowable height,

35 feet; minimum front yard, 20 feet; minimum side yard, 5 feet; minimum rear yard, 5 feet; minimum off street parking, 2 spaces.

Section 4.2 R-M-2 Zone

Permitted Uses: All in R-1 Zone, Duplexes

Site Requirements: minimum size, 7000 sq. feet; minimum lot width, 70 feet; maximum allowable height, 35 feet; minimum front yard, 20 feet; minimum side yard, 5 feet; minimum back yard, 10 feet; minimum off street parking spaces, 2 per family unit.

Section 4.3 R-M-A

Permitted Uses: Multiple Family Dwellings, all uses allowed in R-1, R-M-2, R-M-3.

Site requirements - density - no less than 2000 sq. ft. per family unit, minimum side yard, 8 ft; minimum rear yard, 15 ft; minimum off-street parking, one space per family unit.

Section 4.4 C Zone

Permitted Uses: all normal retail commercial uses; personal service establishments, excluding motels, heavy equipment sales wholesaling, automotive repair, animal hospitals, lumber yards, contractor yards, machine shops, nursery, outdoor sales, and storage establishments, public or private.

Site Requirements: minimum size, 2500 sq. feet; maximum allowable height 43 feet; no setbacks required, minimum parking space, one space per 50 sq. feet of retail space.

Section 4.5 C-R Zone

Permitted Uses: Restaurants, mini-marts, dry-cleaners, hair styling shops, bakery, drug stores, clothing stores, gas station.

Site Requirements: same as C Zone.

Section 4.6 C-H Zone

Permitted Uses: Motels, restaurants, heavy equipment sales, wholesaling, automotive repair, animal hospitals, lumber yards, contractor yards, machine shops, nurseries, outdoor sales, and storage establishments, all permitted in C Zone.

With Use Permit - single family dwelling, duplexes.

Site Requirements: same as C Zone.

Section 4.7 M-1 Zone

Permitted Uses: light industrial or manufacturing uses.

With Use Permit - heavy industrial.

Site Requirements: minimum size; 2500 sq. feet; maximum height, 80 feet; front yard set back, 30 feet; side and rear yard set backs, as required by planning commission; minimum off-street parking, one space per 2000 sq. feet, and not less than 2 spaces per every 3 employees per largest shift.

Section 4.8 PUD Zone

Permitted Uses: all in R-1, R-M-2, R-M-3, R-M-A, C, and C-R zones, as approved by the Dorris City Planning Commission, Uses may be mixed.

Site Requirements: Minimum density, 1 unit per 1500 sq. feet; maximum height 35 feet; front, side, rear yards, as required by the planning commission; minimum parking, as required by the planning commission, other requirements as determined by the Planning Commission.

Section 4.9 Open Space

Permitted Uses - Parks, play grounds, public buildings, public facilities, agricultural.

Site Requirements - None

ARTICLE V

GENERAL PROVISIONS, CONDITIONS AND EXCEPTIONS

Section 5.1 Fences, Hedges, Walks

Fences hedges walls may be erected in any district subject to the following conditions:

- a. No fence, hedge, walk or screen planting of any kind shall hereinafter be constructed or grown to exceed six (6) feet in height within any required interior side yard or rear yard.
- b. No fence, wall, hedge, or screen planting of any kind shall hereinafter be constructed or grown to exceed thirty-six (36) inches in height in any required front yard. In the case of corner lots both yards on street frontage shall be construed as front yards.
- c. Fences and structures exceeding six (6) feet in height to enclose tennis courts, swimming pools etc., on the rear half of a lot may be erected subject to obtaining a use permit.
- d. Structures and fences more than six (6) feet shall be permitted in commercial and industrial zones subject to a use permit.

Section 5.2 Accessory Buildings

Accessory buildings shall not be constructed prior to the construction of the main building. An accessory building in an "R" district shall be located on the rear one-half (1/2) of the lot and at least ten (10) feet from any dwelling on the lot or

any adjacent lot. Such accessory building shall be at least five (5) feet from any alley. Accessory buildings shall be limited to fifteen (15) feet in height.

Section 5.3 Architectural Consideration

Proponents of proposed development of structures in R-M-A, C, C-R, C-H, M, and PUD zones must submit architectural drawings or sketches, showing elevations of proposed buildings or structures and site plans including proposed, parking lots, landscaping or other treatment of the grounds buildings or structures, (including a drainage plan if required by City Public Works Director). Such drawings, sketches and site plans shall be reviewed by the planning commission in an endeavor to provide that architectural and general appearance of such buildings, structures, and grounds, is in keeping with the communities aesthetic standards and goals. Such drawings, sketches, and site plans must be received by the planning commission and public works director ten (10) days prior to approval.

Section 5.31 Where the proposed use requires issuance of a use permit under the terms of the ordinance and is also subject to architectural and site plan review, the proceedings may be combined into one application and one fee will be charged.

Section 5.32 No building permit shall be issued in any case where architectural consideration is required until such

drawings and sketches have been approved by Planning Commission. All buildings, structures, and grounds shall be constructed and improved in accordance with the approved drawings and sketches.

Section 5.4 Performance Standards

Section 5.41 Prior to issuance of a Use Permit, Building Permit or Occupancy Permit within the "M" Zone, the applicant shall prove by document and other evidence the applicants willingness and ability to comply with the performance standards set forth below.

Section 5.42 Radio Activity or Electric Disturbance: No activities shall be permitted which emit radio activity at any point which is dangerous to human beings, devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located.

Section 5.43 Fire and Explosion Hazards: all activities involving and/or storage of flammable and explosive materials shall be protected with adequate safety devices against the hazard of fire and explosion and adequate fire suppression and fire fighting equipment and devices standard in the industry.

Any such materials proposed for use in the City of Dorris shall be listed and the list shall be provided to the Public works Director prior to occupancy.

Section 5.44 Odors: No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odors air to four volumes of clean air, at the lot line.

Section 5.45 Noise: No use shall be permitted in any zone that will cause a noise greater than 37 DBA in the interior of any dwelling unit between the hours of 7 PM and 7 AM.

Section 5.46 TRAFFIC - Applicant will show by use of site plan how traffic will be controlled on and off of site and how surrounding public right of ways can handle increased vehicle load.

5.47 DISCHARGES - Applicant will show proof of acceptable air, water, and solid waste discharge treatment through permits or plan approval by appropriate state/local agencies.

5.48 PARKING, LANDSCAPING AND DRAINAGE - Applicant shall show by use of certified site plan; one parking space per 1000 sq. ft. of manufacturing space, a landscaping plan acceptable to the Dorris Planning Commission, and (if required by public works director) a drainage plan.

5.49 SIGNAGE AND LIGHTING - No sign shall be in excess of 30 sq. ft. or higher at its highest point than 25 ft. Lighting should be designed to illuminate the improved property on the site without imposing glare or artificial light on neighboring structure or passersby. A lighting plan shall be presented to show conformance to standard (if necessary).

ARTICLE VI

NONCONFORMING USES

Section 6.1 Except as otherwise provided in this Article, uses of land, buildings, or structures existing at the time of the adoption of this ordinance may be continued

although the particular use, or the building or structure, does not conform to the regulations specified by this ordinance for the district in which the particular building or structure is located or use is made; provided however, no nonconforming structure or use of land may be extended to occupy a greater area of land, building or structure than is occupied at the time of the adoption of this ordinance. If any nonconforming use is discontinued or abandoned, any subsequent use of such land or building shall conform to the regulations specified for the district in which such land or building is located. If no structural alterations are made therein, a nonconforming use of a nonconforming building may be changed to another use of the same or more restrictive classification upon the securing of a Use Permit. If the nonconforming use is replaced by a more restrictive nonconforming use, the occupancy thereafter may not revert to a less restrictive use. If any use is wholly discontinued for any reason except pursuant to a valid order of a court of law for a period of one (1) year, it shall be conclusively presumed that such use has been abandoned within the meaning of this ordinance, and all future uses shall comply with the regulations of the particular district in which the land or building is located.

Section 6.2 If any lands upon which no building or structure of any kind is located are used for a purpose which is not in compliance with the regulations of the district where such lands are located, such use may continue for a period of three (3) years from the date of the adoption of this ordinance. After the expiration of the aforementioned three (3) year period, such lands shall be used only in conformance with the regulations of the district in which they are located.

Section 6.3 Any building or structure existing at the date of the adoption of this ordinance which is nonconforming either in use, design or arrangement shall not be enlarged, extended, reconstructed or structurally altered unless such enlargement, extension, reconstruction or alteration is in compliance with the regulations set forth in this ordinance for the district where such building or structure is located; provided however, any such nonconforming building or structure may be maintained, repaired or portions thereof replaced so long as such maintenance, repairs or replacements do not exceed twenty-five per cent (25%) of the building's appraised valuation as shown on the latest assessment role of the City of Dorris. Other repairs, alterations and additions may be permitted provided a Use Permit shall first be secured.

Section 6.4 A nonconforming building destroyed to the extent of more than fifty percent (50%) of its fair market value at the time of its destruction by fire, explosion, or other casualty or Act of God, may be restored and used only in compliance with the regulations existing in the district wherein it is located.

Section 6.5 The foregoing provisions of the Article shall apply to structures, land, and uses which hereafter become nonconforming due to redistricting of any lands under provisions of this ordinance. An existing use for which a Use Permit is required by the terms of this ordinance shall be considered a nonconforming use, unless and until a Use Permit shall be obtained.

Section 6.6 Nothing contained in this ordinance shall be deemed to require any change in the plans, construction, or designated use of any building currently existing or under construction.

ARTICLE VII

ZONING PERMITS, USE PERMITS, VARIANCES AND REVOCATION OF PERMITS

Section 7.1 ZONING PERMITS

7.101 Zoning Permits shall be required for all buildings and structures hereinafter erected, constructed, altered, repaired or moved within or into any district established by this ordinance, and for the use of vacant land, within any district established by this ordinance. The application for a Zoning

Permit shall be accompanied by a fee, set by the City Council, and sufficient plans to clearly indicate the proposed use to be made of the land or building. No building permit shall be issued until the Zoning Permit portion thereof has been completed by the Building Inspector and any required Use Permit or Variance has been issued and become effective. Zoning Permits shall be issued by the Public Works Director upon inspection of building plans during regular working hours. No Planning Commission or City Council action will be necessary, as long as the proposed use meets the requirements of this ordinance and does not require a Use Permit, Variance, or Architectural and Site Plan review.

Section 7.2 USE PERMITS

7.201 Use Permits revocable, conditional and/or valid for a term period, may be issued as provided in this Article for any of the uses or purposes for which such permits are required or permitted by the terms of this ordinance. The Planning Commission may impose such conditions as it deems necessary to secure the purposes of this Ordinance and may require tangible guarantees or evidence that such conditions are being, or will be complied with.

7.202 Application for Use Permits shall be made in writing by the owners of the property, or their agent, on a form prescribed by the Planning Commission of the City of Dorris. Lessees, purchasers in escrow,

optionees, or other persons may act as agents upon filing with the application a copy of an instrument signed by an owner and designating such agent. The application shall be accompanied by a fee, set by the City Council, and plans showing the details of the proposed use to be made of the land or building.

7.203 Upon receipt of the application for Use Permit, the Planning Commission shall determine whether or not the establishment maintenance, or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the person residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the City. If the Planning Commission finds that the aforementioned conditions will not result from the particular use applied for it may grant the Use Permit.

7.204 No public hearing need be held upon any Use Permit application provided that the Planning Commission may hold any hearings deemed necessary. In the event that the Planning Commission elects to hold a public hearing, notice thereof shall be given in the same time and manner as provided in Section 9.5.

7.205 Use Permits shall not be issued until five (5) days have elapsed from the granting thereof, and in case an appeal is filed pursuant to Chapter VIII hereof,

shall not be issued until decision thereon shall have been made by the City Council.

7.206 Use Permits shall not have any force and effect until the permittee acknowledges receipt thereof and acceptance of any conditions thereto.

Section 7.3 VARIANCES

7.301 Applications for variances from the strict application of the terms of this ordinance may be made and variances granted when the following circumstances are found to apply:

- a. That any variance shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is situated; and
- b. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

7.302 The use of lands or buildings not in conformity with the nature of uses specified for the district in

which such lands or buildings are located may not be allowed by the granting of a variance from the strict application of the terms of this ordinance.

7.303 Applications for variance shall be made in writing by the owners of the property, or their agent, on a form prescribed by the Planning Commission of the City of Dorris. Lessees, purchasers in escrow, optionees or other persons may act as agents upon filing with the application a copy of an instrument signed by an owner and designating such agent. The application shall be accompanied by a fee, set by the City Council, a plan of the details of the variance requested, and evidence showing: (1) that there are exceptional or extraordinary circumstances or conditions applying to the land, building or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings and/or uses in the same district; (2) that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner; and (3) that the granting of such application will not under the circumstances of the particular case materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or

improvements in said neighborhood.

7.304 Public Hearing: The Planning Commission shall hold a public hearing within thirty (30) days of the filing of the application for a variance. Notice of such hearing shall be given by one (1) publication in a newspaper of general circulation in the city at least ten (10) days prior to such hearing and by posting notice on the property involved or adjacent thereto at least ten (10) days prior to such hearing.

7.305 Action by Commission: At the conclusion of the public hearing the Planning Commission shall make a written finding of facts showing whether the qualifications under Section 7.303 apply to the land, building or use for which variance is sought, and whether such varianceshall be in harmony with the general purpose of this ordinance. Such written finding of facts shall be submitted to the City Council within thirty (30) days of the close of the public hearing and may include recommendations for such conditions as the Planning Commission deems necessary to secure the purpose of this ordinance.

7.306 Action by City Council: The City Council shall consider the application for variance within thirty (30) days of the receipt of the Planning Commission report, and, if the City Council finds that the qualifications under Section 7.303 apply to the land, building or uses for which variance is sought and

that such variance is in harmony with the general purpose of this ordinance, the City Council shall by resolution grant such variance. The City Council may designate such conditions in connection with the variance as it deems necessary to secure the purpose of this ordinance and may require such guarantees and evidence that such conditions are being or will be complied with.

7.307 Variances shall not have any force and effect until the permittee acknowledges receipt thereof and acceptance of any; conditions thereto.

Section 7.4 EXPIRATION OF PERMITS

7.401 Any zoning, Use Permit or Variance granted in accordance with the terms of this ordinance shall, without further action, become null and void if not used within one (1) year from the date of approval thereof or within any shorter period of time, if so designated by the Planning Commission or City Council.

Section 7.5 REVOCATION OF PERMITS

7.501 Any Zoning, Use Permits or Variance granted in accordance with the terms of this ordinance may be revoked by the City Council in the manner hereinafter set forth, if any of the conditions or terms of such permits are violated, compliance is not made with the provisions of this ordinance, or if the following findings are made:

a. In connection with Use Permits: The

continuance of the use would be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such use, or would be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

- b. In connection with Variances: Continued relief from the strict application of the terms of this ordinance would be contrary to the public interest, safety, health and welfare.

7.502 Before the Council considers revocation of any permit, the Planning Commission shall hold a hearing thereon after giving written notice thereof to the permittee at least ten (10) days in advance of such hearing and in the same time and manner as provided in Section 9.5. Within five (5) days thereafter, the Commission shall transmit a report of its findings and its recommendations on the revocation to the City Council.

ARTICLE VIII

APPEALS

Section 8.1 APPEALS ON USE PERMITS AND VARIANCES

8.801 In case any protestant to a Use Permit or Variance sought is not satisfied with the action of the Planning Commission on such matters he may, within

five (5) days, appeal such action to the City Council.

Section 8.2 APPEALS ON INTERPRETATIONS AND DETERMINATIONS

8.201 The Planning commission shall have the power to hear and decide appeals based upon the administrative enforcement or interpretation of the provisions of this ordinance.

8.202 In case the applicant or petitioner is not satisfied with the action of the Planning Commission in deciding any appeal based upon the administrative enforcement and interpretation of the provisions of this ordinance, or any action of the Planning Commission in deciding any interpretation of the provisions of this ordinance, he may, within five (5) days appeal such action to the City Council.

Section 8.3 APPEAL PROCEDURE

8.301 Appeals shall be made in writing and filed with the City Clerk, accompanied by a fee to be set by the City Council.

8.302 Upon receipt of such appeal the City Council set the matter for public hearing, notice thereof to be given in the same time and manner as provided in Section 9.5, provided that where such appeal concerns itself with interpretation of, or determination under the provisions of this ordinance, the posting of notices shall not be required.

8.303 Notice shall be given to the Planning Commission of

such appeal and a report shall be submitted by the Commission to the City Council, setting forth the reasons for the action taken by the Commission. Such report shall be submitted in writing or by representation at the hearing.

8.304 The decision of the City Council shall be rendered not more than forty-five (45) days after the close of the hearing.

ARTICLE IX

AMENDMENTS

Section 9.1 GENERAL

9.101 Except as otherwise provided in this Article, any amendment to this ordinance shall be initiated and adopted as other ordinances are amended or adopted.

Section 9.2 REZONINGS

9.201 Any amendment to this ordinance which changes any property from one district to another district, or imposes any regulation upon property not theretofore imposed, or removes or modifies any such regulation, shall be initiated and adopted as hereinafter set forth in this Article.

Section 9.3 INITIATION

9.301 Any amendment of the nature specified in Section 9.2 hereof may be initiated by (1) the filing with the Planning Commission of a Resolution of Intention of the City Council of the City of Dorris; (2) adoption of a Resolution of Intention by the Planning

Commission or (3) filing with the Planning Commission of a petition of one or more record owners of property which is the subject of the proposed amendment or their authorized agents. Where such petitions filed by an agent it shall be accompanied by a copy of the instrument signed by an owner and designating the agent. A petition for amendment shall be on a form designated therefore by the Planning Commission and shall be accompanied by a fee, as set by the City Council.

Section 9.4 PUBLIC HEARING

9.401 Upon receipt of a petition or resolution of intention of amendment, the Planning Commission shall set a date for a public hearing thereon, but not later than forty-five (45) days after the receipt of said petition or resolution.

Section 9.5 NOTICE OF HEARING

9.501 Notice of public hearing shall be given in the following manner:

- a. Publication of a notice of hearing one (1) time not less than ten (10) days prior to such hearing in a newspaper of general circulation in the City of Dorris; or
- b. Posting, not less than ten (10) days prior to such hearing, at least three (3) public notices of hearing along the streets upon which the property proposed to be affected abuts.

9.502 Each such posted notice shall consist of the words

"Notice of Proposed Zoning Change" in letters not less than one (1) inch in height, and in addition thereto, a statement in small letters setting forth a general description of the property proposed to be affected, the time and place of the public hearing thereon, and such other information as the Planning Commission deems necessary.

9.503 Failure to post public notices as aforesaid shall not invalidate any proceedings under this Zoning Ordinance.

Section 9.6 COMMISSION ACTION

9.601 After the close of the public hearing or continuation thereof, the Planning Commission shall make a report of its findings and its recommendation with respect to the proposed amendment. The Commission report shall include a list of persons who testified at the hearing, a summary of the facts adduced at the hearing, the findings of the Commission, and copies of any maps or other data and/or documentary evidence submitted in connection with the proposed amendment. A copy of such report and recommendations shall be transmitted to the City Council within ninety (90) days after the first notice of hearing thereon; provided however, that such time may be extended with the consent of the City Council or the petitioner for such amendment.

Section 9.7 COUNCIL ACTION

9.701 Upon receipt of the recommendation of the Planning Commission the City Council shall set the matter for public hearing, notice thereof to be given in the time and manner provided in Section 9.5. After the conclusion of such hearing or continuations thereof, the City Council may, within one (1) year, adopt the proposed amendment or any part thereof set forth in the petition or resolution of intention in such form as the Council deems desirable.

ARTICLE X

INTERPRETATIONS AND DETERMINATIONS

Section 10.1 GENERAL

10.101 Except as specifically provided herein this ordinance shall not be interpreted to repeal, abrogate, annul or in any existing provision of any law or ordinance or regulations or permits previously adopted or issued relating to the erection, construction, moving, alteration or enlargement of any building or improvement; provided however, in any instances where this ordinance imposes greater restrictions upon the erection, construction, establishment, moving, alteration or improvement of buildings or the use of any building or structure than is imposed or required by an existing law, ordinance or regulation, the provisions of this ordinance shall control.

Section 10.2 INTERPRETATION

10.201 If any ambiguity arises concerning the appropriate

classification of a particular use within the meaning and intent of this ordinance, or with respect to matters of height, area requirements or zone boundaries as set forth in this ordinance, the Planning Commission shall ascertain all pertinent facts and by resolution set forth its findings and interpretations and thereafter such interpretation shall govern, except if the City Council of the City of Dorris directs the Planning Commission to adopt a different interpretation.

Section 10.3 CRITERIA

10.301 Whenever the Planning Commission of the City of Dorris is called upon to determine whether or not the use of land or any structure in any district is similar in character to the particular uses allowed in a district, the Commission shall consider the following factors as criteria for their determination, in addition to other comparisons:

- a. Effect upon the public health, safety, and general welfare of the neighborhood involved and the City at large.
- b. Effect upon traffic conditions
- c. Effect upon the orderly development of the area in question and the City at large in regard to the general planning of the whole community.

ARTICLE XI

ENFORCEMENT PROCEDURE AND PENALTIES

Section 11.1 ENFORCEMENT

11.101 It shall be the duty of the Building Inspector of the City of Dorris to enforce the provisions of this ordinance, pertaining to the use of land or buildings and the erection, construction, reconstruction, moving, alteration, or addition to any buildings or structures. Any permit or license of any type issued by any department or officer of the City of Dorris, issued in conflict with the provisions of this ordinance, is hereby declared to be null and void.

Section 11.2 ABATEMENT

11.201 Any building or structure erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this ordinance and any use of land or buildings operated or maintained contrary to the provisions of this ordinance are hereby declared to be public nuisances. The City Attorney, upon order of the City Council shall commence the necessary action or proceedings for the abatement, removal and injunction thereof in the manner prescribed by law in the courts which may have jurisdiction to grant such relief as will accomplish such abatement and restraint. The remedies provided for in this Section shall be in addition to any other remedy or remedies or penalties provided in this ordinance or any other law or ordinance.

Section 11.3 PENALTIES

11.301 Any person, whether as principal, agent, employee or otherwise, violating or causing the violation of any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine or not more than five hundred dollars (\$500) or by imprisonment in the county jail for six (6) months, or by both such fine and imprisonment. Any violation of this ordinance which is committed and continues from day-to-day, constitutes a separate offense for each day during which such violation is committed or continued.

ARTICLE XII

SEVERABILITY

Section 12.1 If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

ARTICLE XIII.

Section E-1 of the Zoning Ordinance of the Dorris Municipal Code is hereby amended by deleting it in its entirety, and replaced with certain provisions described hereinabove.

ORDINANCE NO. 183

AN ORDINANCE AMENDING THE DORRIS ZONING ORDINANCE
REGARDING THE USE OF SECONDARY HOUSING UNITS
WITHIN THE RESIDENTIAL AREAS

THE CITY COUNCIL OF THE CITY OF DORRIS DOES ORDAIN AS FOLLOWS:

- I. Article V of the Dorris General Plan and Zoning Ordinance (originally adopted as Ordinance No. 173) is hereby amended.
- II. Section 5.50 of the Dorris General Plan and Zoning Ordinance is hereby adopted, to read in it's entirety as follows;

ARTICLE V

SECONDARY HOUSING UNITS

INSTITUTE OF GOVERNMENTAL
STUDIES LIBRARY

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UNIVERSITY OF CALIFORNIA

Section 5.50 Introductory: This ordinance is adopted pursuant to government Code Section 65852.2(a), and shall be used to evaluate applications to the Planning Commission for Conditional Use Permits for second units on lots zoned for residential use which contain an existing single-family dwelling. The Planning Commission shall grant a Conditional Use Permit for the creation of a Secondary Housing Unit if it complies with all of the criteria set forth in this Chapter.

Section 5.51 Definitions: As used within this Chapter, the following definitions shall apply:

- (A) "Living Area" means the interior habitable area for a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (B) "Secondary Housing Unit" means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the primary living unit is situated.
- (C) "Affected Resident" means an individual residing within 300 feet of the parcel upon which a Secondary Housing Unit has been proposed.
- (D) The "Date of the Decision" granting or denying a permit under this Chapter means the date on which the decision is announced.

Section 5.52 Interpretation: A second unit which conforms to this ordinance shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use which is consistent with the existing General Plan and zoning(g) designations for the lot. The second units shall not be considered in the application of any local ordinance, policy or program to limit residential growth.

Section 5.53 Location: secondary housing units may be allowed only in single-family and multi-family residential zones, consistent with applicable zoning requirements.

Section 5.52 Interpretation: A second unit which conforms to this ordinance shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use which is consistent with the existing General Plan and zoning (g) designations for the lot. The second units shall not be considered in the application of any local ordinance, policy or program to limit residential growth.

Section 5.53 Location: secondary housing units may be allowed only in single-family and multi-family residential zones, consistent with applicable zoning requirements.

Section 5.54 Limitation & Restrictions:

- (A) In no case shall more than two housing units be placed on one parcel.
- (B) Secondary housing units are permitted in single and multi-family zoning areas.
- (C) Secondary housing units shall be allowed for a dwelling unit to be constructed, which is attached to a primary residence, provided that the area of floor space of the secondary dwelling unit does not exceed 30% of the living area of the primary residence.
- (D) Secondary housing units shall be allowed for a dwelling unit to be constructed, which is detached from a primary residence, provided that the area of floor space of the secondary dwelling unit does not exceed 1,200 square feet.
- (E) A secondary housing unit may be occupied by a maximum of one (1) adult, provided however, that if they are over the age of sixty-two (62) years, two (2) adult occupants shall be permitted.
- (F) A secondary housing unit may not be separately sold unless a lot split is otherwise permitted, but it may be rented.
- (G) A secondary housing unit may be constructed only on a lot which contains an existing single-family dwelling.
- (H) A secondary housing unit must conform to height, setback, lot coverage, architectural review, site plan review, fees, charges and other zoning requirements generally applicable to residential construction in the zone in which the property is located.
- (I) The secondary housing unit must comply with local building code requirements.
- (J) No secondary housing unit shall be permitted on a lot which is not at least 10,000 square feet in area.
- (K) Secondary housing unit shall be used only as residential uses.
- (L) A secondary housing unit shall have its own separate entry doorway.
- (M) Prior to approval of the Conditional Use Permit, the Planning Commission shall have made a finding that the proposed secondary unit is compatible with the existing primary unit and the surrounding area. The Planning Commission may also consider, and require mitigation's for, impacts on traffic, utility capacity, adjacent neighbors, and other relevant factors.
- (N) Prior to approval of the Conditional Use Permit, the Planning Commission shall have made a finding that adequate utility capacity is available. If the Secondary Housing Unit is within 500 feet of a City sewer main, it shall be connected thereto, and all connection fees shall be paid by the applicant prior to such connection.

secondary unit is located. The Planning Commission may also consider, and require mitigation's for, impacts on traffic, utility capacity, adjacent neighbors, and other relevant factors.

- (N) Prior to approval of the Conditional Use Permit, the Planning Commission shall have made a finding that adequate utility capacity is available. If the Secondary Housing Unit is within 500 feet of a City sewer main, it shall be connected thereto, and all connection fees shall be paid by the applicant prior to such connection.

- (O) A mobile or manufactured home may be installed as a secondary housing unit only if it is found to otherwise be in conformance with existing City Regulations relating to the installation of such homes.

Section 5.55 Application for Conditional Use Permit: The applicant for a Secondary Housing Unit Conditional Use Permit shall provide adequate plans and details indicating:

- (A) A site plan showing the location of the secondary housing unit on the property in relation to the main building; and
- (B) Floor and elevation planed, materials descriptions and colors; and
- (C) Such other information as may be required by the City staff or Planning Commission in relation to the limitations and restrictions set forth in Section 5.54, above, or elsewhere in this or any other applicable ordinance.

Section 5.56 Appeals: The denial, and the terms or conditions of issuance, of a Secondary Housing Unit Use Permit may be appealed by the applicant to the City Council upon the filing of a written request therefor within five (5) days of the date of the decision of the Planning Commission. The issuance of such a Use Permit may be appealed by any affected resident, as defined herein, of the City, to the City Council, upon the filing of a written request therefor within five (5) days of the date of the decision.

Section 5.57 Penalties: Any person who violates any provision of this Chapter shall be guilty of an infraction, and shall be punished therefor in accordance with the penalties at that time specified for infractions by the California Government Code. Each day in which a person is in such violation shall be deemed to be separate violation.

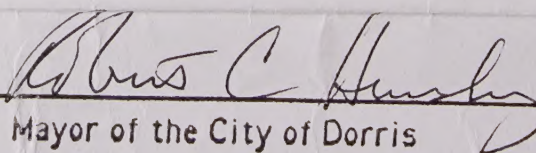
Section 5.59 Enforcement: In addition to the criminal penalties provided in this Chapter, the City may obtain civil enforcement of the provisions hereof, including but not limited to an injunction against continued violation; A person against whom the City obtains such an injunction shall be liable to the City for its attorney fees and court costs incurred in the successful proceeding.

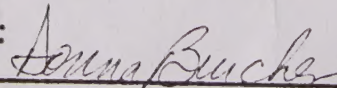
The foregoing Ordinance, Number 183, having been regularly introduced at a regular meeting of the City Council of the City of Dorris on the 6th day of April, 1992, and was at a regular meeting of said council, held on the 18th day of May, 1992, duly adopted by the following vote, to-wit:

AYES: Alston, Hazelwood, Krouse, Cleland, Hensley

NAYES:

ABSENT:


Mayor of the City of Dorris

ATTEST: 
City Clerk

U.C. BERKELEY LIBRARIES



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